

भारत का राजपत्र
The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 41 नई दिल्ली, शीवार, सितंबर 11, 1969/आश्विन 19, 1891
No. 41 NEW DELHI, SATURDAY, OCTOBER 11, 1969/ASVINA 19, 1891

इस भाग में भिन्न पृष्ठ पढ़ाये जा जाते हैं जिससे कि यह प्रयोग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर)
केन्द्रीय प्राधिकरणों द्वारा जारी किये गये विधिक आदेश और अधिचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION OF INDIA

New Delhi, the 29th September 1969

S.O. 4056.—In pursuance of the provisions contained in sub-section (1) of Section 13AA of the Representation of the People Act, 1950, and in supersession of its notification No. 508/KL/66, dated the 28th December, 1966, the Election Commission in consultation with the State Government, hereby designates the District Collector of each of the Districts in the State of Kerala as the District Election Officer of the District of which he is the District Collector.

[No. 508/KL/69.]

ORDERS

New Delhi, the 23rd August 1969

S.O. 4057.—Whereas the Election Commission is satisfied that Shri Ram Chandra Paswan, R/o village and P.O. Hansa via Samastipur, District Darbhanga (Bihar), a contesting candidate for election to the Bihar Legislative Assembly from 95—Warisnagar Assembly Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ram Chandra Paswan, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/95/69(13).]

New Delhi the 2nd September 1969

S.O. 4058.—Whereas the Election Commission is satisfied that Shri Isari Prasad, son of Shri Lehre Ram Jatav, House of Shri Babu Lal Gupta, Inside Veenarayan Gate, Bharatpur (Rajasthan), a contesting candidate for election to the Rajasthan Legislative Assembly from Weir Constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Isari Prasad to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. RJ-LA/66/67(128).]

New Delhi, the 12th September 1969

S.O. 4059.—Whereas the Election Commission is satisfied that Shri Sadanand Baitha R/O village Jiyanganj, P.O. Sarsil, District Purnea, (Bihar), a contesting candidate for election to the Bihar Legislative Assembly from Banmankhi Assembly Constituency, has failed to lodge an account of his election expenses in the manner required by law as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. NOW, THEREFORE, in pursuance of section 10A of the said Act, the Election Commission hereby declared the said Shri Sadanand Baitha, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/120/69(16).]

By Order,
A. N. SEN, Secy.

भारत निर्वाचन आयोग

नई दिल्ली, 29 सितम्बर, 1969

क्र० अ० 4060 :—लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13क की उपधारा (1) में अन्तर्निष्ठ उपबन्धों के अनुसरण में तथा अपनी अधिवृत्ता संख्या 508/केरल/66, तारीख 28 दिसम्बर, 1966 को अधिकांश करते हुए निर्वाचन आयोग, राज्य सरकार से परामर्श करके, केरल राज्य के प्रत्येक जिले के जिला कलक्टर को, उस जिले के लिए जिसका वह जिला कलक्टर है, जिला निर्वाचन आफिसर के रूप में एतद्वारा पदाभिहित करता है।

[संख्या 508/केरल -69]

आवेश

नई दिल्ली, 23 अगस्त, 1969

एस० नो० 4061.—यतः निर्वाचन आयोग का समाधान हो गया है कि बिहार विधान सभा के लिए निर्वाचन के लिए 95 वारिस नगर निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रामचन्द्र पासवान, निवासी गांव वडा० हान्सा बाया समस्तीपुर, जिला दरभंगा (बिहार), लोक सभा प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं :

और, यतः, उक्त उम्मीदवार उसे समयक सूचना दिये जाने पर भी लेखा दाखिल करने में असफल रहा है और उसने अपनी इस असफलता के लिये कोई कारण अथवा स्पष्टीकरण नहीं दिया है, तथा निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है :

यतः, अब, उक्त अधिनियम की धारा 10क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री रामचन्द्र पासवान को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए, इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार-वि० सं०/95/69 (13)]

नई दिल्ली, 2 सितम्बर 1969

एस० नो० 4062.—यतः निर्वाचन आयोग का समाधान हो गया है कि राजस्थान विधान सभा के लिए निर्वाचन के लिए गैर निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री ईसरी प्रसाद सुपुत्र श्री लोहरे राम जाटव, बीनारायन दरवाजे के भीतर श्री बाबू लाल गुप्त का भूकान, भरतपुर (राजस्थान), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार उसे समयक सूचना दिए जाने पर भी लेखा दाखिल करने में असफल रहा है और उसने अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है ; तथा निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

यतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री ईसरी प्रसाद को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए, इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० राज० वि० सं०/66/67(128)]

नई दिल्ली, 12 सितम्बर, 1969

एस० नो० 4063.—यतः निर्वाचन आयोग का समाधान हो गया है कि बिहार विधान सभा के लिए निर्वाचन के लिए बनमनखी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सदानंद बीठा, निवासी ग्रामजियनगंज पो० सरसी, जिला पूर्णिया (बिहार), लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित विधि द्वारा बिहित रीति से अपने निर्वाचन व्ययों का लेखा करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है; तथा निर्वाचन आयोग का यह समाधान हो गया है कि उस के पास इस असफलता के लिए कोई पर्याप्त कारण या व्याव्योचित्य नहीं है ;

अतः अब, उक्त अधिनियम, की धारा 10—क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सदानंद बैठा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० बिहार—वि० सं०/120/69 (16)]

आदेश से,

ए० एन० सैन, सचिव ।

ORDERS

New Delhi, the 19th September 1969

S.O. 4064.—Whereas the Election Commission is satisfied that Shri Kartar Chand, House No. 2054 old BV 580 Ambadkar Nagar, Samrala Road, Ludhiana, a contesting candidate for the mid-term general election held in February, 1969 to the Punjab Legislative Assembly from Ludhiana North Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Kartar Chand to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/66/69(7).]

New Delhi, the 22nd September 1969

S.O. 4065.—Whereas the Election Commission is satisfied that Shri Namburi Durvasarao, Chintalapudi, West Godavari District, (Andhra Pradesh), a contesting candidate for election to the Andhra Pradesh Legislative Assembly from 74-Chintalapudi constituency, held in February, 1967 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure, and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Namburi Durvasarao to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/74/67.]

By Order,
ROSHAN LAL, Secy.

आदेश

नई दिल्ली, 19 सितम्बर, 1969

एन० ओ० 4066.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1969 में हुए पंजाब विधान सभा के लिए मध्यावधि निर्वाचन के लिए लुधियाना उत्तरी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री करतार चन्द, मकान सं० 2054 पुराना बी० बी० 580 अम्बडकर नगर, समराला मार्ग लुधियाना, लोक प्रतिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार उसे सम्यक सूचना दिए जाने पर भी लेखा दाखिल करने में असफल रहा है और उसने अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं किया है; तथा निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री करतार सिंह को संसद् के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए, इस आदेश को तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० पंजाब वि० सं०/66/69 (7)]

नई दिल्ली, 22 सितम्बर, 1969

एन० ओ० 4067.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1967 में हुए आन्ध्र प्रदेश विधान सभा के लिए निर्वाचन के लिए 74-चिन्तजापुडी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री नम्बूरी दुर्वासाराव, चिन्तजापुडी, पश्चिमी गोदावरी जिला (आन्ध्र प्रदेश) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार उसे सम्यक सूचना दिए जाने पर भी लेखा दाखिल करने में असफल रहा है और उसने अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, तथा निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री नम्बूरी दुर्वासाराव को संसद् के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० आ० प्र०-वि० सं०/74/67]

आदेश से,

रोशन लाल, सचिव ।

MINISTRY OF HOME AFFAIRS

(Office of the Competent Authority)

NOTICE

New Delhi, the 3rd October 1969

S.O. 4068.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Sawant Raj Mehta, Advocate, Balotra for appointment as a notary to practise in the districts of Barmer and Jalore with headquarters at Balotra.

2. Any objection to the appointment of the said person as a notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. 22/16/69-Judl. III.]

K. THYAGRAJAN,
Competent Authority.

MINISTRY OF FINANCE

(Department of Banking)

New Delhi, the 4th October 1969

S.O. 4069.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clauses (i) and (ii) of clause (c) of Sub-section (1) of section 10 of the said Act shall not apply till the 1st February 1970, to the Bank of Baroda, Baroda, in so far as the said provisions prohibit Shri M. G. Parikh, its Custodian (Chief Executive Officer) from being the Director of the Agricultural Finance (Corporation Ltd., which is a company registered under the Companies Act, 1956 (1 of 1956).

[No. F. 15(11)-BC/69.]

New Delhi, the 6th October 1969

S.O. 4070.—Statement of the Affairs of the Reserve Bank of India, as on the 26th September, 1969

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	38,59,00,000
		Rupee Coin	9,15,000
Reserve Fund	150,00,00,000	Small Coin	5,71,000
National Agricultural Credit (Long Term Operations) Fund	155,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	
		(b) External	
		(c) Government Treasury Bills	18,80,16,000
National Agricultural Credit (Stabilisation) Fund	35,00,00,000	Balances Held Abroad*	18,04,74,000
National Industrial Credit (Long Term Operations) Fund	75,00,00,000	Investments**	132,87,98,000
		Loans and Advances to :	
		(i) Central Government	
		(ii) State Governments@	54,16,39,000
Deposits—		Loans and Advances to :—	
(a) Government—		(i) Scheduled Commercial Banks†	20,25,95,000
		(ii) State Co-operative Banks††	249,05,82,000
(i) Central Government	51,56,39,000	(iii) Others	2,10,81,000

LIABILITIES	Rs.	ASSETS	Rs.
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—	
(ii) State Governments	7,25,57,000	(a) Loans and Advances to—	
		(i) State Governments	31,56,62,000
		(ii) State Co-operative Banks	16,38,80,000
		(iii) Central Land Mortgage Banks	
(b) Banks—		(iv) Investment in Central Land Mortgage Bank Debentures	8,96,93,000
(i) Scheduled Commercial Banks	1,67,40,22,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
(ii) Scheduled State Co-operative Banks	7,64,80,000	Loans and Advances to State Co-operative Banks	6,41,37,000
(iii) Non-scheduled State Co-operative Banks	57,52,000		
(iv) Other Banks	17,31,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
(c) Others	228,59,37,000	(a) Loans and Advances to the Development Bank	6,26,71,000
Bills payable	44,49,49,000	(b) Investment in bonds/debentures issued by the Development Bank	
Other Liabilities	33,85,96,000	Other Assets	31,90,49,000
Rupees	961,56,63,000	Rupees	961,56,63,000

*Includes Cash, Fixed Deposits and Short-term Securities

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund

(a) Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary over-drafts to State Governments.

Includes Rs. 2,45,00,000 advance to scheduled commercial banks against advance bills under Section 17(4)(c) of the Reserve Bank of India Act, 1934.

(b) Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 1st day of October 1969.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 26th day of September, 1969
ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Reserve in the Banking Department			Gold Coin and Bullion :—		
Notes in Circulation	38,59,00,000		(a) Held in India	182,53,11,000	
	<u>3414,84,42,000</u>		(b) Held outside India	..	
Total Notes issued		3453,43,42,000	Foreign Securities	<u>220,88,70,000</u>	
			TOTAL		403,41,81,000
			Rupee Coin		77,24,97,000
			Government of India Rupee Securities		<u>2972,76,64,000</u>
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		<u>3453,43,42,000</u>	TOTAL ASSETS		<u>3453,43,42,000</u>

Dated the 1st day of October, 1969

B. N. ADARKAR,
Dy. Governor.

[No. F. 3(3)-BC/69.]

K. YESURATNAM, Under Secy.

ERRATA

S.O. 4071.—In the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Office of the Treasurer of Charitable Endowments for India) No. F.1/1/69-SB-TCE, dated the 15th June, 1969, published as S.O. 3197 in the Gazette of India, Part II, Section 3(ii) dated the 9th August, 1969, at pages 3397 to 3427—

1. Page 3402—against Serial Nos. 12 and 13, in Column 9, line 5, for 'Office' read 'Officer'.
2. Page 3403—(i) Insert Serial No. '14' in Column 1 against the word 'Do'.
(ii) Column 9, line 34 for 'par' read 'part'.
3. Page 3405—(i) Column 1 for '1' above the figure 17 read '16'.
(ii) Column 6—line 1 for 'wit' read 'with'.
(iii) against case No. 1 under Madras, Column 5 para 'b', line '1' for 'Form' read 'Four'.
4. Pages 3408-3409—Case No. 7 in Column 11, Part (c) (appearing against Case No. 6) line 3 for 'balaance' read 'balance'.
5. Pages 3410-3411—(i) case No. 14 in Column 2, delete "," after the word 'Byramji' in line 1 and insert " " after the word 'Trainees' in line 2.
(ii) Case No. 15—in Column 6 for the indistinct figure read '4,67,206.50'.
6. Pages 3412-3413—(i) Case No. 2 in Column 6 for '49,486.00' read '49,486.00'.
(ii) Case No. 3 in Column 4 for 'conversion' in line 1, read 'conversion'.
(iii) Case No. 4 in Column 10, for '(e), before the figure 12.37 read '(1)'.
(iv) in Column 11, against (1) in line 2 for 'Instituton' read 'institution'.
7. Pages 3414-3415—(i) Case No. 21 in Column 6 for '300.00' read '30.00'.
(ii) Case No. 22 in Column 3 line 1, insert ' ' for ' ' after the word Hony.
(iii) Case No. 24 in Column 9, for '330.00' read '330.00'.
8. Pages 3416-3417—(i) Case No. 27, Column 2, line 1, for 'Jejeo-' read 'Jejee'.
(ii) Column 7 for '(1)' before the figure 7,000.00 read '(j)'.
(iii) Column 11 against (j) line 2 for 'Debts' read 'Debrs'.
(iv) Case No. 28, in Column 2, for 'Meddical' in lines 4 & 5 read 'Medical'.
(v) Case No. 29, in Column 2 for 'Rustomjee Jamsetjee Jejeebhoy' in lines 1 and 2 read 'Rustomjee Jamsetjee Jejeebhoy'.
(vi) Madras Case No. 1 (i) Column 4 line 6 for '1872.73' read '1872-73'.
(ii) In column 7 insert '(e)' before the figure 49,332.57.
(iii) In column 11 for 'balan' read 'balance'.
(iv) Case No. 2, Column 3, line 9, for 'Dirtrict' read 'District'.
9. Page 3418-3419—Insert the figure '4' against 'Grigg Memorial Endowment Fund at Madras' in Column 1.

Under West Bengal—Case No. 1, column 2 for 'Peoples' in lines 1 and 2 read 'People's'.
10. Pages 3422-3423—Case No. 16, Column 11, for 'balan' read 'balance'.
(i) Case No. 3 under Uttar Pradesh, Column 2, line 1 for 'Willam' read 'William'.
(iii) Insert the figure '6' against 'Vizianagram Scholarship Endowment Trust' under Column I.
11. Pages 3424-3425—Case No. 8, column 3, Insert ' ' after the word 'Principal' in line 1.

[No. F.1/1/69-SB-TCE.]

A. R. SHIRALI, Jt. Secy.

(Department of Revenue & Insurance)

INCOME-TAX

New Delhi, the 30th September 1969

S.O. 4072.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorise Shri K. P. Roy and Shri B. D. Singh who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification shall come into force on 6th October, 1969.

[No. 125 (F. No. 16/177/69-ITCC).]

R. D. SAXENA, Dy. Secy.

(Department of Revenue and Insurance)

CUSTOMS

New Delhi, the 11th October 1969

S.O. 4073.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government hereby rescinds the following notifications, namely:—

1. Ministry of Finance (Department of Revenue and Insurance) notification No. 5-Customs dated the 4th February, 1967.
2. Ministry of Finance (Department of Revenue and Insurance) notification No. 107-Customs dated the 14th October, 1967.
3. Ministry of Finance (Department of Revenue and Insurance) notification No. 112-Customs dated the 20th July, 1968.

[No. F.80/45/69-L.C.I.]

G. P. DURAIRAJ, Dy. Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

सीमा-शुल्क

नई दिल्ली, 11 अक्टूबर, 1969

एस० नो 4074 :—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 25 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित अधिसूचनाओं को विखंडित करती है, अर्थात् :—

1. वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना संख्या 5—सीमाशुल्क तारीख 4 फरवरी, 1967
2. वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना संख्या 107—सीमाशुल्क तारीख 14 अक्टूबर, 1967
3. वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना संख्या 112—सीमाशुल्क तारीख 20 जुलाई, 1968

[एफ० 80/45/69-एल० सी०आई०]

जी० पी० दुरायैराज

उप सचिव, भारत सरकार।

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 12th February 1969

S.O. 4075.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf the Central Board of Direct Taxes hereby makes the following amendment in the Schedule appended to its Notification No. 95 (F. No. 50/11/68-ITJ) dated 5th October, 1968, namely:

In the said Schedule against 'A' Range Jodhpur under column 2 the following shall be added namely:—

6. H-Ward, Jodhpur.

This notification shall take effect from 17th February, 1969.

Explanatory Note

The amendment has become necessary for assigning appellate jurisdiction over a newly created ward known as H-Ward, Jodhpur, w.e.f. 10th January, 1969.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. (124) (F. No. 50/11/68-ITJ).]

S. V. SUBBA RAO, Under Secy.

केन्द्रीय प्रत्यक्ष-कर बोर्ड

आयकर

नई दिल्ली, 12 फरवरी 1969

एस० ओ० 4076.—आयकर अधिनियम 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का और केन्द्रीय प्रत्यक्ष कर बोर्ड को उस निमित्त समर्थ करने वाली अन्य शक्तियों का प्रयोग करते हुए वह बोर्ड अपनी अधिसूचना सं० 95 (फा० सं० 50/11/68-आई०टी०जे०) तारीख 5 अक्टूबर 1968 से संलग्न अनुसूची में एतद्वारा निम्नलिखित अतिरिक्त संशोधन करता है अर्थात्—

उक्त अनुसूची के स्तम्भ 2 के नीचे 'क' रेंज, जोधपुर के नामने निम्नलिखित जोड़ा जाएगा, अर्थात्—

6. ज—वाड, जोधपुर

यह अधिसूचना 17 फरवरी 1969 से प्रभावी होगी।

[सं० 124 (फा० सं० 50/11/68-आई०टी०जे०)]

एस० बी० पुनःबाराव,

अध्यक्ष, केन्द्रीय प्रत्यक्ष कर बोर्ड।

MINISTRY OF HEALTH, FAMILY PLANNING, WORKS, HOUSING AND URBAN DEVELOPMENT

(Department of Health)

New Delhi, the 23rd September 1969

S.O. 4077.—In pursuance of clause (11) and sub-section (b) of clause (15) of rule 2 of the Indian Aircraft Public Health Rules, 1954, the Central Government hereby rescinds the Notification of the Government of India in the Ministry of Health, Family Planning and Urban Development No. S.O. 3800 dated the 25th October, 1968.

[No. F.19-4/68-I.H.]

S.O. 4078.—In pursuance of clause (8) and sub-clause (b) of clause (13) of the Indian Port Health Rules, 1955, the Central Government hereby rescinds the Notification of the Government of India in the Ministry of Health, Family Planning and Urban Development No. S.O. 3802 dated the 25th October, 1968.

[No. F.19-4/68-I.H.]

S. SRINIVASAN, Under Secy.

स्वास्थ्य, परिवार नियोजन, निर्माण, आवास और नगर विकास मंत्रालय
(स्वास्थ्य विभाग)

नई दिल्ली, 23 सितम्बर, 1969

एस० ओ० 4079.—भारतीय विमान लोक स्वास्थ्य नियम, 1954, के नियम 2 के खण्ड (11) और खण्ड (15) के उप-खण्ड (ख) के अनुसरण में, केन्द्रीय सरकार भारत सरकार के स्वास्थ्य, परिवार नियोजन और नगरीय विकास मंत्रालय के अधिसूचना सं० का० आ० 3800, तारीख 25 अक्टूबर, 1968 को एतद्वारा विखण्डित करती है।

[का० सं० 19-4/68-आई० एच०]

एस० ओ० 4080.—भारतीय पत्तन स्वास्थ्य नियम, 1955 के खण्ड (8) और खण्ड (13) के उप-खण्ड (ख) के अनुसरण में केन्द्रीय सरकार भारत सरकार के स्वास्थ्य, परिवार नियोजन और नगरीय विकास मंत्रालय की अधिसूचना सं० का० आ० 3802 तारीख 25 अक्टूबर, 1968 को एतद्वारा विखण्डित करती है।

[का० सं० 19-4/68-आई० एच०]

एस० श्रीनिवासन,

अवर सचिव।

(Department of Health)

New Delhi, the 30th September 1969

S.O. 4081.—Whereas in pursuance of the provisions of clause (e) of section 3 of the Dentists Act, 1948 (16 of 1948), the following persons have been nominated by the State Governments indicated against their names to be the members of the

Dental Council of India with effect from the date of nomination shown against each, namely:—

Particulars of members	Name of State which Nominated	Date of Nomination
Dr. Prakash Narain, Director of Health Services, Madhya Pradesh, Bhopal.	Madhya Pradesh	21-8-1969.
Dr. R. N. Roy, (Dentist) Kohima Civil Hospital, Kohima	Nagaland	9-8-1969.

Now, therefore, in pursuance of the powers conferred by section 3 of the said Act, the Central Government hereby makes the following further amendments in the Notification of the Government of India in the late Ministry of Health No. F. 3-2/62-MII, dated the 17th October, 1962, namely:—

In the said Notification, under the heading.

"Nominated under clause (e) of section 3",

(a) for the entry against serial No. 7, the following entry shall be substituted, namely:—

"Dr. Prakash Narain, Director of Health Services, Madhya Pradesh, Bhopal."

(b) for the entry against serial No. 15, the following entry shall be substituted, namely:—

"Dr. R. N. Roy (Dentist), Kohima Civil Hospital, Kohima."

[No. F. 3-9/69-MPT.]

R. MURTHI, Under Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 24th September 1969

S.O. 4082.—In exercise of the powers conferred by section 3 of the Electricity (Supply) Act, 1948 (54 of 1948) and in supersession of this Ministry's Notification No. ELII.28(15)/67, dated the 14th May, 1969, the Central Government hereby appoints Shri A. F. Couto, Director, (FE&P) in this Ministry, as a Member of the Central Electricity Authority vice Shri S. Rammohan.

[No. F. 3-9/69-MPT.]

K. P. MATHRANI, Secy.

सिंचाई व बिजली मंत्रालय

नई दिल्ली 24, सितम्बर, 1969

एत० नो० 4083.—बिजली (वृत्ति) अधिनियम, 1948 (1948 का 54) की धारा 3 द्वारा प्रस्तुत अधिकारों का प्रयोग करते हुए और इस मंत्रालय की अधिसूचना सं० वि० दो०-28 (15)/67 दिनांक 14 मई, 1969 के प्रतिस्थापित करते हुए, केन्द्रीय सरकार एतद्वारा इस मंत्रालय के निदेशक (वि० मु० और वि०) श्री ए० एफ० कुटो को श्री एस० राममोहन के स्थान पर केन्द्रीय बिजली प्राधिकरण में एक सदस्य के रूप में नियुक्त करती है ।

[सं० वि० दो०-28(15)/67]

के० पी० मथुरानी, सचिव ।

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 30th September 1969

S.O. 4084.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1st November 1969, as the date on which the Measured Rate System will be introduced in RANIGANJ Telephone Exchange.

[No. 5-24/69-PHB(2).]

D. R. BAHL,

Assistant Director General (PHB).

संचार विभाग

(डाक तार बोर्ड)

नई दिल्ली, 30 सितम्बर, 1969

स्थायी आदेश क्रमसंख्या 4085.—स्थायी आदेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने रानीगंज टेलीफोन केंद्र में 1-11-69 से प्रभाविता दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5/24/69/पी० ऐच० बी०].

डी० आर० बहल,

सहायक महानिदेशक (पी० एच० बी०)

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS

(Department of Chemicals)

New Delhi, the 26th September 1969

S.O. 4086.—In exercise of the powers conferred by sub-section (1) of section 19 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby authorises each of the officers of the Government of Tamil Nadu specified in the Schedule below to exercise the powers specified in clauses (a), (b) and (c) of the said section in so far as they relate to the industry specified in sub-item (1) of item 26 of the First Schedule to the said Act.

SCHEDULE

1. Commissioner of Prohibition and Excise.
2. The Deputy Commissioner (Prohibition and Excise).
3. Collectors and District Revenue Officers of Districts.
4. Revenue Divisional Officers.
5. Tahsildars and Deputy Tahsildars.

[No. 4/2/68/Ch.1.]

R. S. GOPALAN, Under Secy.

पेट्रोलियम तथा रसायन और खान तथा धातु मंत्रालय

(रसायन विभाग)

नई दिल्ली, 26 सितम्बर, 1969

का० आ० 4087. —इण्डस्ट्रीज (डिबैल-मैट और रेग्यूलेशन) एक्ट, 1951 (1951 का 65) की धारा 19 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार तमिल नाडु सरकार के निम्न सूची में निविष्ट प्रत्येक अफसर को उक्त धारा के (क), (ख) और (ग) खण्डों में निविष्ट शक्तियों का, जहां तक वे उक्त अधिनियम की प्रथम सूची के मद संख्या 26 के उप-मद (1) में लिखित उद्योग से सम्बन्धित हैं, प्रयोग करने का अधिकार देती है।

सूची

1. मद्यनिषेध और उत्पादन शुल्क आयुक्त।
2. उप-आयुक्त (मद्यनिषेध तथा उत्पादन शुल्क)।
3. जिलों के कलक्टर तथा जिला राजस्व अधिकारी।
4. प्रभागीय राजस्व अधिकारी।
5. तहसीलदार तथा उप-तहसीलदार।

[संख्या 4/2/68-केमिकल्स]

आर० एस० गोपालन,
अवर सचिव।

MINISTRY OF STEEL AND HEAVY ENGINEERING

CORRIGENDUM

New Delhi, the 5th July 1969

S.O. 4088.—In line 3, para 2 of the Notification No. SC(I)-1(2)/68 S.O. 1800 published in the Gazette of India, Part II Section 3, sub-section (ii), dated 3rd May 1969 regarding amendment to the Iron & Steel (Control) Order, for the word "size" the word "seize" shall be substituted. The earlier Notification stands modified to this extent.

[No. F. SC(I)-1(2)/68.]

C. A. NAIR, Under Secy.

OFFICE OF THE COMMISSIONER OF INCOME-TAX, RAJASTHAN

ORDER

Jaipur, the 24th July 1969

S.O. 4089.—In exercise of the powers delegated by the Central Government under Sub-sec. (1) of Sec. 287 of the Income-tax Act, 1961 (43 of 1961) and under the authority given by the Central Board of Direct Taxes, Ministry of Finance, Department of Revenue & Insurance, Government of India, New Delhi. I the undersigned, hereby publish the names and other particulars of the assessee who during the financial year 1968-69 have been assessed on a total income of Rs. 1 lac or more (in cases of Individuals and Hindu Undivided Families) and on an income of Rs. 10 lacs or more (in cases of Firms, Association of Persons & Companies), publication of which has been considered necessary in public interest.

Names of Individual and Hindu Undivided Families Assessed on, Income over Rs. 1,00,000/- During the Financial, Year 1968-69.

S. No.	Name & complete address of the assessee	Status	Asstt. year	Income assessed	Remarks.
1	2	3	4	5	6
				Rs.	
1	H.H. Sir Bhimsingh of Kota . . .	Individual.	1967-68	1,69,170/-	
2	Messrs. Mukand Das Vishnukumar, Beawar . . .	H.U.F.	1964-65	1,50,648/-	
3	Messrs. Gokuldas Pradeepkumar, Beawar. . .	H.U.F.	1964-65	1,50,913/-	
4	Messrs. Ghosh & Ghosh, Sawaimadhopur. . .	Individual	1956-57	1,18,000/-	
5	Shri Ramdayal Johsi, C/o Rashtradrut, Jaipur. . .	Individual	1964-65	1,83,473/-	
6	Shri A. C. Mukherjee, C/o Messrs. A. Mukherjee & Co., Jaipur. . .	Individual	1966-67	1,04,171/-	
7	H.H. Shri Mansinghji of Jaipur . . .	Individual	1968-69	7,28,101/-	
8	Do.	Individual	1951-52	3,82,714/-	
9	Do.	Individual	1952-53	4,14,622/-	
10	Rai Bahadur Sardarsingh of Khetri . . .	Individual	1964-65	1,75,398/-	
11	Do.	Individual	1965-66	1,51,446/-	
12	Do.	Individual	1966-67	2,10,004/-	
13	Do.	Individual	1967-68	1,57,773/-	
14	Do.	Individual	1968-69	1,89,866/-	
15	H.H. Shri Gajsinghji of Jodhpur . . .	Individual	1965-66	4,85,967/-	
16	Do.	Individual	1966-67	5,19,032/-	
17	Messrs. Jai Narainjeevraj, Soorsagar, Jodhpur. . .	H.U.F.	1964-65	1,29,345/-	
18	Shri Motichand Khazanchi, Bikaner . . .	H.U.F.	1964-65	3,10,854/-	
19	Shri Sheoji Singh, Sojat Lime, Syndicate, Sojat Road. . .	Individual	1964-65	1,20,106/-	
20	Smt. Ayodhya Kumari, 18, Ratanada, Jodhpur. . .	Individual	1967-68	1,04,889/-	
21	Shri Sohanlal, Baid, C/o Messrs. Tansukhlal Srichand, Ladnun. . .	Individual	1948-49	2,50,000/-	
22	Messrs. Sampatram Budhmal, Sardarshahr. . .	H.U.F.	1964-65	1,07,200/-	
23	Shri Nirmal Kumar Sethia, Sujangarh . . .	Individual	1964-65	2,75,047/-	

Names of Firms, Associations of Persons and Companies Assessed on Income Over Rs.10,00,000/- during the Financial Year, 1968-69

Sl. No.	Name and complete address of the assessee	Status	Asstt. year	Income assessed
1	2	3	4	5
				Rs.
1	Messrs Associated Stone Industries, Ramganj- mandi, Kota.	Public Co. Ltd.	1967-68	20,32,267/-
2	Do.	Do.	1968-69	20,74,575/-

[No. J-3/Misc.Stt./69-70/4022.]

M. D. VERMA, Commissioner,

UNIVERSITY OF DELHI

Delhi the 16th August, 1969.

S.O. 4090.—Balance Sheet of the Delhi University as on 31st March 1968.

31-3-1967	ASSETS	31-3-1 968
1,76,04,613	1. Buildings	1,98,77,239
24,36,709	2. Furniture & Equipment	27,06,072
87,11,774	3. Science Apparatus & Chemicals	95,11,402
48,94,920	4. Books & Periodicals	57,03,611
53,388	5. Sports Materials & Trophies.	53,388
	6. Accrued Receipts :	
1,31,557	(i) Fees from Students	1,57,004
11,884	(ii) Rents.	31,698
2,73,318	(iii) Press Receipts.	4,30,976
2,58,472	7. Excess of expenditure over income
	<i>Suspense and Deposits :</i>	
7,500	1. Professorship Investment Account.	7,500
5,38,000	2. Depreciation Reserve Fund Investment Account	6,38,000
76,000	3. Pt. Man Mohan Nath Dar End. Investment Account	96,000
20,000	4. V.C.'s Students Investment Account	31,000
1,00,000	5. Reserve Fund Investment Account	1,00,000
5,47,991	6. Special Endowment Fund Investment Account	5,88,216
4,90,000	7. Sir Shankar Lal Instt. of Music Investment Account	3,40,000
4,75,000	8. Sir Sri Ram Chair in Physics End. Fund Investment Account.	4,75,000
6,55,200	9. Sir Shanker Lal End. Investment Account	6,55,200
70,99,467	10. (a) Provident Fund Investment Account	85,82,467
3,65,357	(b) Accrued Interest (C.P. Fund)	2,77,063
20,000	11. Gokal Chand of Gujrat Scholarship Investment Acct.	20,000
..	12. Delhi School of Economics Students Welfare Investment Account.	21,000
..	13. Dearness Allowance Investment Account	70,000
..	14. Business Management & Industrial Administration Investment Account.	10,748
58,300	15. General Endowment Fund Investment Account
32,619	16. Maulana Azad Investment Account.
10,465	17. Contractor's Security Investment Account

31-3-1967	ASSETS	31-3-68
<i>Advances :</i>		
3,450	1. Permanent Advances	5,050
1,56,103	2. Other Advances	1,53,219
8,76,020	3. Cash at Bank	22,58,601
4,59,08,107	TOTAL	5,28,00,454

Certified that the grants have been utilised for and on the purpose for which they were sanctioned and paid.

I have examined the foregoing accounts and the Balance Sheet of the University of Delhi and obtained all the information and explanations that I have required and subject to the observations in the Audit Report appended, I certify, as a result of my audit, that in my opinion these accounts and the Balance Sheet are properly drawn up so as to exhibit a true and fair view of the state of affairs of the University of Delhi according to the best of my information and explanation given to me and as shown by the books of the University of Delhi, Delhi.

New Delhi,
Dated the 9th April, 1969.

Sd/- D. D. DHINGRA,
Accountant General,
Central Revenues.
Countersigned.

New Delhi,
Dated the 10th April, 69.

Sd/- S. RANGANATHAN,
Comptroller and Auditor General of India,
New Delhi.

Balance Sheet of the Delhi University as on 31st March 1968

31-3-1967	LIABILITIES	31-3-1968
2,90,88,644	1. Account of Govt. Grant for Capital Expenditure	3,21,56,265
41,59,256	2. Account of other Grants utilised for Capital Expenditure	53,55,826
..	3. Excess of Income over expenditure for 1967-68	10,20,150
	Less: Excess of Expenditure over Income upto 1966-67	2,58,472
		7,61,678
<i>Suspense & Deposits :</i>		
27,144	1. Professorship Fund	28,152
7,07,857	2. Depreciation Reserve Fund	7,17,345
2,31,591	3. (a) Deposit Account of Students Caution Money for	
	Science, Library and Contractor's Security	2,75,628
50,000	(b) Loans	
1,00,600	4. Pt. Man Mohan Nath Dar End. Fund Account	1,21,9942
35,513	5. V.C.'s Students Fund Account	34,6828
1,13,688	6. Reserve Fund Account	1,14,909
6,25,184	7. Special Endowment Fund Account	6,80,4423
5,78,243	8. Deposit Account & Reserach Schemes	5,28,661
28,601	9. Publication Fund Account	29,424
409	10. Foreign Examination Fund Account	97
92,991	11. General Endowment Fund Account	95,277
37,577	12. Deposit Account of Prizes & Endowments	37,55
9,38,560	13. Deposit Account of Scholarships	9,85,62
42,701	14. Deposit Account of Grants for construction of Constituent	
	Colleges	42,701
6,65,838	15. Sir Shanker Lal Institute of Music	4,76,341
(—) 2,34,246	16. Other Deposits Account	76,499
74,43,513	17. (a) Provident Fund Account	87,23,094
1,36,854	(b) Interest Account (C.P.F.)	2,69,536
382	18. Fr ternity and Loan Scholarship Account	382
5,30,703	19. Si Sri Ram Chair in Physics	5,34,223
6,76,795	20. Si Shanker Lal Endowment Fund Account	6,73,365

31-3-1967	LIABILITIES	31-3-1968
20,315	21. Dr. Gokal Chand Scholarship Fund Account	21,191
..	22. Delhi School of Economics Student's Welfare Fund Account	21,748
..	23. Dearness Allowance arrears—payable	70,000
..	24. Business Management & Industrial Administration—Fund Account	10,748
32,619	25. Maulana Azad Fund Account	
	26. Suspense Account: }	
(—) 2,33,551	(i) Specific Purposes	(—) 1,83,336
	(ii) Miscellaneous	
9,326	27. Accrued Payments : }	
	(i) Other Charges	59,888
4,59,08,107	TOTAL	5,28,00,454

Certified that the grants have been utilised for and on the purpose for which they were sanctioned and paid.

Income and Expenditure Account for the year 1967-68

Income			Expenditure	
I. Maintenance Account			I. Maintenance Account	
(a) Actual Receipts :			(a) Actual Payments :	
1. Grants		90,06,638.20	1. Pay & Allowances	74,50,970.40
2. Fees from Students		24,46,623.56	2. Examinations	11,54,890.16
3. Rents	1,69,350.20		3. Scholarships	1,59,695.16
Less accrued of last year	11,883.69	1,57,466.51		
4. Library Receipts		28,080.03	4. C.P.F. Contribution	3,30,023.93
5. Special Receipts		6,000.00	5. Grants	
6. Miscellaneous Receipts		1,55,590.35	(i) University Purposes	48,675.00
7. Press Receipts		2,40,699.55	(ii) Academic Purposes	58,272.61
			6. Miscellaneous	1,08,960.71
		1,20,41,098.20	7. Other Charges	19,76,844.80
			Less accrued of last year	9,325.98
			8. Printing & Binding Charges	19,67,518.82
				93,513.37
				1,13,72,520.16
(b) Accrued Receipts :			(b) Accrued Payments :	
1. Fees from Students upto 67/68	1,57,004.00		Other Charges upto 67/68	59,888.40
Less outstanding upto 66/67	1,31,557.00	25,447.00		
2. Rents upto 67/68		31,697.81		
3. Press Receipts for 67/68		1,57,657.97		
II. Plan Account (Actual Receipts)			II. Plan Account (Actual Payments)	
Grants	12,18,239.11		1. Pay and Allowances	7,42,850.83
Other Receipts	1,789.70	12,20,028.81	2. Other Charges	2,80,520.59
			III. Excess of Income over Expenditure	10,20,149.81
		1,34,75,929.79		1,34,75,929.79

Closing Balances as on 31st March, 1968

(As per Cash Books)

I. 1. General Fund Account	7,41,226.81
2. Plan Development Account	1,42,950.40
3. Capital Account	10,647.75
4. Suspense Account	6,02,328.49
TOTAL—I	14,97,153.45
II. Other Funds:	
1. General Endowment Fund Account	95,296.62
2. Depreciation Reserve Fund Account	89,345.05
3. Reserve Fund Account	14,807.73
4. Special Endowment Fund Account	92,712.93
5. Science Caution Money	49,781.36
6. Pt. Man Mohan Nath Dar End. Fund.	25,994.23
7. V.C.'s Students' Fund:	
(i) Savings Bank Account	1,252.08
(ii) Current Account	2,369.93
8. Foreign Examination Fund Account	424.00
9. Professorship Fund Account	20,652.23
10. Publication Fund Account	29,661.46
11. Delhi University Fraternity House and Loan Scholarship Endowment Fund Account	381.93
12. Sir Sri Ram Endowment Fund Account	59,223.05
13. Sir Shankar Lal Endowment Fund Account	18,165.36
14. Provident Fund Account	1,33,100.26
15. Dr. Gokal Chand Loan Scholarship Fund	1,191.08
16. Sir Shankar Lal Institute of Music Endowment Fund	1,36,340.41
17. Delhi School of Economics Students Welfare Fund	747.55
TOTAL—(II)	7,61,647.26
TOTAL—(I)& (II)	22,58,600.71

Audit Report on the Accounts of Delhi University for the year 1967-68.

1. *Unrealised royalty dues from a publisher.*—For publishing and sale of a series of books and monographs, the University entered into an agreement in December, 1958 with a publisher. The agreement provides that the University is entitled to receive royalty at the rate of 15 per cent on the published price of a book if the entire cost of printing and publishing is borne by publisher, 27 1/2 per cent if only half of the cost is borne by the University and 55 per cent if the entire cost is borne by the University. The publisher is required to render half-yearly accounts of the sales upto 30th June and 31st December each year and make the payments within 60 days of the submission of the accounts. In November, 1959 the publisher informed the University that the rates of royalty would be 10 per cent 22 1/2 per cent and 50 per cent respectively on books exported and sold to foreign countries and the accounts for those sales of the publications would be settled once a year.

The University made over 15 titles to the publisher for publication during the period 1960 to 1966, but so far (February, 1969) the publisher has rendered the accounts upto 31st December, 1967 only. According to the accounts rendered by the publisher, total royalty of Rs. 0.94 lakh upto 31st December, 1967 was due, but he had remitted Rs. 0.40 lakh only and claimed Rs. 9,000 on account of expenditure incurred on the publications, leaving Rs. 45,000 as still due to

the University. The University has stated that recovery of that balance amount is being actively pursued.

2. *Outstanding Press dues.*—For work done by the University Press for University Departments and outside bodies bills for Rs. 2.37 lakhs awaited recovery (10th February, 1969):—

Period to which bills relate Prior to	Amount
1-4-65	Rs. 0.84 lakh
1965-66	Rs. 0.32 lakh
1966-67	Rs. 0.70 lakh
1967-68	Rs. 0.51 lakh
TOTAL	Rs. 2.37 lakh

Yearwise break-up of Rs. 0.84 lakh (due for the period prior to April, 1965) was not available as proper accounts of the bills drawn and payments received had not been maintained. Out of Rs. 1.53 lakh relating to 1965-66 to 1967-68, Rs. 0.11 lakh were recoverable from private parties including a foreign University.

3. *Arrears in collection of tuition fee and other fees.*—Arrears of tuition and other fees recoverable from 1961-62 to 1967-68 by the University were Rs. 1.37 lakhs on 31st March, 1968 as against Rs. 1.32 lakh on 31st March, 1967. The University has stated that the effective arrears would be less and that they are being ascertained.

4. *Annual Accounts.*—(i) The cumulative closing cash balance shown in proforma accounts of research schemes was Rs. 8,20,415 but the liability on this account shown in the Balance Sheet is Rs. 5,28,443. The difference is yet to be reconciled.

(ii) There was a difference of Rs. 10.57 lakhs between the University's bank account as on 31st March, 1968 and the balance shown in the cash book. The difference was for the period January 66 to March, 68. The difference was, however, reduced to Rs. 1.41 lakhs by February, 1969.

The unreconciled cash balance of Rs. 1.13 lakh as on 1st January 1966, reported in paragraph 1 of the Audit Report on the Accounts for 1966-67, was reduced to Rs. 0.56 lakh on 31st January, 1969 as a result of further efforts made by the University.

NEW DELHI;

9th April, 1969.

Sd./- D. D. DHINGRA,

Accountant General.

Countersigned.

NEW DELHI;

10th April, 1969.

Sd./- S. RANGANATHAN,

Comptroller and Auditor General of India.

New Delhi.

[No. Fl.n. IV/VII/8863.]

Sd/-

Asstt. Registrar A/cs,

University of Delhi.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 30th September 1969

S.O. 4091.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri S. K. Gudi, Public Relations Officer, Regional Passport and Emigration Office, Bombay,

to be Protector of Emigrants, Bombay, in addition to his own duties with effect from the date Shri A. S. Malhotra is relieved of his duties on transfer.

[No. CP & EO/17/69.]

M. L. KHOSLA,
Attache (PVA).

विदेश मंत्रालय

नई दिल्ली, 30 सितम्बर 1969

एस० ओ० 4092.—उत्प्रवास अधिनियम, 1922 (1922 का सातवां) की धारा 3 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्र सरकार इसके द्वारा श्री एस० के० गुडि, धारा 3 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्र सरकार इसके द्वारा श्री एस० के० गुडि, जन सम्पर्क अधिकारी, क्षेत्रीय पासपोर्ट एवं उत्प्रवास कार्यालय बम्बई को उनके कार्य के अतिरिक्त उस तारीख से, उत्प्रवासी संरक्षक नियुक्त करती है जिस तारीख से श्री ए० एस० मल्होत्रा, स्थानांतरण पर जाते समय अपने कार्यभार से मुक्त होंगे।

[सं० सी० पी० और ई० ओ०/17/69:]

एम० एल० खोसला,
सहचारी (पी०बी०ए)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 18th September 1969

S.O. 4093.—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule 2 of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints Smt. Raji Rangachari as a member of the Advisory Panel Central Board of Film Censors at Madras with immediate effect upto 31st December, 1969.

[No. 11/10/69-F(C).]

New Delhi, the 23rd September 1969

S.O. 4094.—In exercise of the powers conferred by sub-section (1) of section 3 of the Cinematograph Act, 1952, read with rule 4 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints the following persons as members of the Central Board of Film Censors with immediate effect, upto the 31st December, 1969 for the present:—

1. Shri B. R. Agarwal.
2. Shri V. R. Mohan.

[No. F. 11/11/69-F(C).]

BANU RAM AGGARWAL, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 18 सितम्बर 1969

एस० ओ० 4095.—चलचित्र अधिनियम, 1952 की धारा 5(1) और चलचित्र (सेंसर) नियमावली, 1958 के नियम 9 के उप-नियम 2 के साथ पठित नियम 8 के उप-नियम 2 द्वारा नियुक्त अधिकारों

का प्रयोग करते हुए, केन्द्रीय सरकार ने केन्द्रीय फिल्म सेंसर बोर्ड से परामर्श करके एतद्वारा श्रीमती राजी रंगाचारी को अभी से उक्त बोर्ड के सलाहकार मण्डल का 31 दिसम्बर, 1969 तक सदस्य नियुक्त किया है।

[सं० फाइल 11/10/69-एफ० सी०]

नई दिल्ली, 23 सितम्बर, 1969

एस० ओ० 4096:—चलचित्र (सेंसर) नियमावली, 1958 के नियम 4 के साथ पठित चलचित्र अधिनियम, 1952 की धारा 3 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने एतद्वारा निम्नलिखित व्यक्तियों को फिलहाल इस अधिसूचना की तिथि से 31 दिसम्बर, 1969 तक केन्द्रीय फिल्म सेंसर बोर्ड का सदस्य नियुक्त किया है :—

1. श्री बी० आर० अग्रवाल
2. श्री वी० आर० मोहन

[संख्या 11/11/69-एफ० (सी)]

बानू राम अग्रवाल, अवर सचिव।

New Delhi, the 29th September 1969

S.O. 4097.—In the Schedule to this Ministry's Order 3475, dated 25th August, 1969 appearing in the Gazette of India, Extraordinary Part II Section 3 Sub-Section (ii) No. 296 dated 27th August, 1969 against S. No. 2 under Column 3, please read "383M" for the existing figure "385M".

[No. F. 24/1/69-FP App. 1390]

K. K. KHAN, Under Secy.

नई दिल्ली, 29 सितम्बर, 1969

एस० ओ० 4098:—भारत के असाधारण राजपत्र के भाग 2, खण्ड 3, उपखण्ड (2) संख्या 296, तारीख 27 अगस्त, 1969 में प्रकाशित इस मंत्रालय के आदेश संख्या 3476 के परिशिष्ट में क्रम संख्या 2 के सामने कालम 3 के अन्तर्गत वर्तमान आंकड़े "385 मीटर" के स्थान पर "383 मीटर" पढ़े जाएं।

संख्या फाइल 24/1/69/एफ० पी०-परिशिष्ट 1390]

के० के० खान, अवर सचिव।

खाद्य, कृषि, सामुदायिक विकास तथा सहकारिता मंत्रालय

(कृषि विभाग)

नई दिल्ली, 11 सितम्बर, 1969

सा० का० नि० 4099 :—कृषि उत्पाद (श्रेणीकरण और चिह्नन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इलायची

श्रेणीकरण और चिह्नन नियम, 1962 में, अतिरिक्त संशोधन करने के लिए एतद्वारा निम्नलिखित नियम बनाती है जो उपर्युक्त धारा की अपेक्षानुसार पहले प्रकाशित किये जा चुके हैं :—

1. ये नियम इलायची श्रेणीकरण और चिह्नन (संशोधन) नियम, 1969 कहे जा सकेंगे ।
2. इलायची श्रेणीकरण तथा चिह्नन नियम, 1962 में,

(I) नियम 1 में, उपनियम (2) के लिये निम्नलिखित उपनियम प्रतिस्थापित किया जाएगा, अर्थात् :—

“(2) ये भारत में उत्पादित इलायची (एलीटारिया कार्डामोमम) (कैपसूल, बीज तथा पाउडर) पर लागू होंगे ।”

(II) नियम 3 में, शब्द तथा अंक “अनुसूची 1 से 6” के लिए, शब्द, अंक तथा अक्षर “अनुसूची 1 से 6 क” प्रतिस्थापित किए जाएंगे,

(III) नियम 4 में, शब्द तथा अंक “अनुसूची 1 से 6” के लिए, शब्द, अंक तथा अक्षर “अनुसूची 1 से 6क” प्रतिस्थापित किए जाएंगे ।

(IV) नियम 5 तथा 6 के लिए, निम्नलिखित नियम, प्रतिस्थापित किए जाएंगे :—

(1) “5 श्रेणी अभिधान चिह्न :—पौलीथीन या कागज के थैलों में पैक की हुई इलायची (कैपसूल, बीज तथा पाउडर) की दशा में श्रेणी अभिधान चिह्न का डिजाइन ऐसा होगा जिस पर प्राधिकरण प्रमाणपत्र की संख्या, एगमार्क शब्द तथा कृषि विपणन सलाहकार द्वारा स्वीकार की हुई श्रेणी अंकित हो ।

(2) टीन या कांच के आधानों में पैक की हुई इलायची (कैपसूल, बीज तथा पाउडर) की दशा में श्रेणी अभिधान चिह्न ऐसा चिपकाया हुआ लेबल होगा जिस पर श्रेणी अभिधान विनिर्दिष्ट हो तथा “एगमार्क” शब्द सहित भारत के नक्शे का डिजाइन हो ।

(3) पटसन या कपड़े के आधानों में या लकड़ी की पेटियों में पैक की गई, और ऐसे आधानों में जिन में श्रेणीकृत इलायची (कैपसूल, बीज और पाउडर) के पौलीथीन के मोहरबन्द थैले पैक किए जाते हैं, पैक की गई इलायची (कैपसूल, बीज और पाउडर) की दशा में श्रेणी अभिधान चिह्न वह लेबल होगा जिस पर श्रेणी अभिधान विनिर्दिष्ट हो और शब्द “एगमार्क” सहित भारत के नक्शे के रेखा चित्र का तथा “प्रोड्यूस आफ इंडिया” और “भारतीय उत्पाद” शब्दों सहित उदीयमान सूर्य चित्र का, जो अनुसूची 7 में दिखाए गए चित्र से मिलता जुलता हो, डिजाइन हो ।

6. चिह्न की पद्धति :—

(1) श्रेणी अभिधान चिह्न कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से प्रत्येक आधान पर मजबूती के साथ चिपकाया, या छापा, जायेगा ।

(2) उपर्युक्त के अतिरिक्त, प्रत्येक आधान पर निम्नलिखित व्योरे भी स्पष्टतः और पक्के तौर पर अंकित किए जाएंगे :—

(क) कोड या साफ अक्षरों में पैकिंग की तारीख,

(ख) लाट संख्या, और

(ग) कुल वजन

- (3) प्राधिकृत पैकर, कृषि विपणन सलाहकार से पूर्व अनुमोदन प्राप्त कर लेने के पश्चात् उक्त अधिकारी द्वारा स्वीकृत रीति से, आधान पर अपना प्राइवेट ट्रेड मार्क लगा सकता है परन्तु यह तब जब कि प्राइवेट ट्रेडमार्क से कोई ऐसी क्वालिटी या श्रेणी प्रदर्शित न होती हो जो इन नियमों के अनुसार चिपकाए गये या छापे गये श्रेणी अभिधान चिह्न से भिन्न हो।
- (4) अनुसूची 6 के पश्चात्, निम्नलिखित अनुसूची जोड़ दी जाएगी, अर्थात् :—

अनुसूची-6-ए

(नियम 3 तथा 4 देखिए)

इलायची पाउडर की क्वालिटी का श्रेणी अभिधान तथा उसकी परिभाषाएं

विशेष लक्षण				
श्रेणी अभिधान	नमी प्रतिशत वजन के अनुसार अधिकतम	कुल राख प्रतिशत वजन के अनुसार अधिकतम	पतले हार्ड्यूक्लोरिक एसिड में अविलेय राख वजन के अनुसार अधिकतम	साधारण लक्षण
1	2	3	4	5
स्टैंडर्ड	14.0	8.0	3.0	<p>1. इलायची का पाउडर वह होगा जो ऐलिटारिया कार्डामोमम (एल) के कैपसूलों से पृथक किए गए बीजों से प्राप्त हुआ हो।</p> <p>2. यह उपमिश्रण, फफूंदी, कीटवाधा या फफूंददार गन्ध से मुक्त होगा।</p> <p>3. यह मोटे टुकड़ों से मुक्त और इतना भारीक पिसा होना चाहिये कि सारे का सारा 500 माइक्रोन छलनी में से गुजर जायें।</p>

नई दिल्ली 25 सितम्बर 1969

एस० नो० 4100—कृषि उपज (श्रेणीकरण और चिह्नन) अधिनियम, 1937 (1937 का 1) की धारा 3 का प्रयोग करते हुए, केन्द्रीय सरकार सुपारी श्रेणीकरण चिह्नन नियम, 1952 में अतिरिक्त संशोधन करने के लिए एतद्वारा निम्नलिखित नियम बनाती है जो उक्त धारा की अपेक्षानुसार पहले ही प्रकाशित किए जा चुके हैं, अर्थात्—

नियम

1. ये नियम सुपारी श्रेणीकरण और चिह्नन (संशोधन) नियम, 1969 कहे जा सकेंगे।
2. सुपारी (श्रेणीकरण और चिह्नन) नियम, 1952 में प्रथम अनुसूची के लिए निम्नलिखित अनुसूची प्रतिस्थापित की जाएगी, अर्थात् —

अनुसूची-1

(नियम 3 देखिये)

भारत में उत्पादित की जाने वाली पूरी शुष्क सुपारी या पान की सुपारी या कौदटापाक की श्रेणी का अभिधान और क्वालिटी की परिभाषा

श्रेणी अभिधान	व्यास *	विशेष लक्षण				साधारण लक्षण
		टोपी वाली सुपारियों की न्यूनतम प्रतिशतता **	गरी श्वेत न्यूनतम प्रतिशतता	गूदे का रंग पीलापन लिए हुए खराब हुई भूरी अधिकतम प्रतिशतता	सुपारियों की अधिकतम प्रतिशतता ***	
1	2	3	4	5	6	7
मोती स्पेशल	25 मि० मी० और अधिक किन्तु 30 मि० मी० से अधिक	75	90	कुछ नहीं	$\frac{1}{2}$	सुपारियां पूरी, छिलका उतरी हुई हल्के रंग की
ए-1	यथोक्त	40	60	10	1	युक्तियुक्ततः सुपरिपक्व, होगी और दाग,
ए-2	यथोक्त	10	10	60	2	चटक, दरार और सिकुडन से रहित होंगी
श्रीवर्धन स्पेशल	23 मि० मी० और अधिक किन्तु 25 मि० मी० से कम	75	90	कुछ नहीं	$\frac{1}{2}$	और अन्दर से खोखली नहीं होंगी। सुपा- रियां कीड़ा-खाई हुई या भीतर या बाहर से
ए-1	यथोक्त	40	60	10	$\frac{1}{2}$	अन्यथा खराब नहीं होंगी।
ए-2	यथोक्त	10	10	60	$\frac{1}{2}$	

1	2	3	4	5	6	7
जामनगर	20 मि० मी० और अधिक	75	90	कुछ नहीं	$\frac{1}{2}$	
स्पेशल	किन्तु 23 मि० मी० से कम					
ए-1	यथोक्त	40	60	10	$\frac{1}{2}$	
ए-2	यथोक्त	10	10	60	$\frac{1}{2}$	
जीनी	20 मि० मी० के कम	75	90	कुछ नहीं	$\frac{1}{2}$	
स्पेशल						
ए-1	यथोक्त	40	60	कुछ नहीं	$\frac{1}{2}$	
ए-2	यथोक्त	10	10	60	$\frac{1}{2}$	
मटुपलायम	19 मि० मी० और अधिक	कुछ नहीं	90	कुछ नहीं !	1	
स्पेशल	किन्तु 23 मि० मी० से कम					
ए-1	15 मि० मी० और अधिक					
	किन्तु 19 मि० मी० से कम]	कुछ नहीं	60	10	$1\frac{1}{2}$	
ए-2	12 मि० मी० और अधिक					
	किन्तु 15 मि० मी० से कम	कुछ नहीं	60	10	2	
मूजा स्पेशल	12 मि० मी० से कम	कुछ नहीं	90	कुछ नहीं	1	
कोका स्पेशल	19 मि० मी० और अधिक					
	किन्तु 23 मि० मी० से अनधिक	कुछ नहीं	90	10	2	सुपारियां पूरी होंगी, और वे थोड़ी अपरिपक्व हो सकती हैं। छोटी चटक और दारार हो सकती है। मामूली सिकुड़न भी अनुज्ञात की जाएगी।

ए-1	13 मि० मी० और अधिक किन्तु 19 मि० मी० से अधिक	कुछ नहीं	60	20	3	श्रेणी ए-1 में के सिवाय, चिपकने वाला छिल्का स्वीकार नहीं होगा।
-----	--	----------	----	----	---	---

टिप्पण:—*श्रेणीकरण में आकस्मिक भूतों के लिए निकटतम निम्नतर या उच्चतर श्रेणी की सुपारियों में की 5 प्रतिशत की मोक दी जाएगी।

एसी सुपारी जिसका अन्तस्तर का भाग उस से चिपका हो।

***खराब हुई सुपारियों के अन्तर्गत चटकी और टूटी हुई सुपारियां, आकार से बढ़ी (बोमबा) सुपारियों के तग, पूरी तरह छिलका न उतरी हुई और वे सुपारियां आती हैं जिनका गूदा (मोग) काला हो या फफूद, कीड़ों, आदि द्वारा अव्यथा खराब हो गया हो।

[सं० फ० 13-8/68-एल० ए०]

व० र० कपूर, अवर सचिव।

नई दिल्ली, 29 सितम्बर, 1969

क्रा० आ० 4101:—कृषि उत्पाद (श्रेणीकरण और चिह्नन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित नियम बनाती है। ये नियम उक्त धारा की अपेक्षानुसार पहले प्रकाशित किए जा चुके हैं, अर्थात्—

सफेद जिरा श्रेणीकरण और चिह्नन नियम, 1969

1. संक्षिप्त नाम और प्रारम्भ:—(1) ये नियम सफेद जिरा श्रेणीकरण और चिह्नन नियम, 1969 कहे जा सकेंगे।

(2) ये भारत में उत्पादित सफेद जिरा को लागू होंगे और साधारण श्रेणीकरण और चिह्नन नियम, 1937 के अतिरिक्त होंगे, न कि उनके अल्पीकरण में।

2. परिभाषा :—इन नियमों में,—

(क) “कृषि विपणन सलाहकार” से अर्थ भारत सरकार का कृषि विपणन सलाहकार अभिप्रेत है।

(ख) “प्राधिकृत पैकर” से कोई ऐसा व्यक्ति या व्यक्ति-निकाय अभिप्रेत है जिसे कृषि विपणन सलाहकार द्वारा प्राधिकरण प्रमाणपत्र दिया गया हो जिसमें ऐसे व्यक्ति या निकाय को ऐगमार्क के अधीन सफेद जिरा को श्रेणीकृत और चिह्नित करने के लिए प्राधिकृत किया गया हो।

(ग) “सफेद जिरा” से क्यूमिन्स साइमिन एल० अभिप्रेत है, चाहे उसे चूणित किया गया हो या न किया गया हो।

3. श्रेणी अभिधान :—(1) सफेद जिरा (चूणित नहीं) की क्वालिटी उपदर्शित करने के लिए श्रेणी अभिधान वह होगा जो अनुसूची 2 के स्तम्भ 1 में उपवर्णित है, और

(2) सफेद जिरा (चूणित) की क्वालिटी उपदर्शित करने के लिए श्रेणी अभिधान वह होगा जो अनुसूची 3 के स्तम्भ 1 में उपवर्णित है।

4. क्वालिटी की परिभाषा :—उन क्रमिक श्रेणी अभिधानों द्वारा,—

(1) जो अनुसूची 2 के स्तम्भ 1 में विनिर्दिष्ट है, उपदर्शित क्वालिटी की विशेषताएं वे होंगी जो अनुसूची के स्तम्भ 2 से लेकर 7 तक में प्रत्येक श्रेणी अभिधान के सामने उपवर्णित है, और

(2) जो अनुसूची 3 के स्तम्भ 1 में विनिर्दिष्ट है, उपदर्शित क्वालिटी की विशेषताएं वे होंगी जो उस अनुसूची के स्तम्भ 2 से लेकर 5 तक में उपवर्णित है।

5. श्रेणी अभिधान चिह्न :—(1) पोलिथीन या कागज के थैलों या दोनों में पैक किए हुए सफेद जिरा (सम्पूर्ण या चूणित) की दशा में श्रेणी अभिधान चिह्न एक मुद्रित डिजाइन होगा जिसमें प्राधिकरण प्रमाण पत्र की संख्या शब्द ‘ऐगमार्क’ और कृषि विपणन सलाहकार द्वारा अनुमोदित श्रेणी अंकित होगी। इन प्रयोजनों के लिए प्रयोग में लाई जाने वाली डिजाइन, उसे वस्तुतः छापने से पूर्व, कृषि विपणन सलाहकार द्वारा अनुमोदित करानी होगी।

(2) टीनों या कांच के आधान-पात्रों में पैक किए हुए चूर्णित सफेद जीरे की दशा में श्रेणी अभिधान चिह्न चिपकाये जाने वाले लेबिल के रूप में होगा जिस पर शब्द 'ऐगमार्क' और श्रेणी अभिधान विनिर्दिष्ट किए जायेंगे।

(3) जूट या कपड़े के आधान-पात्रों में पैक किए हुए सफेद जीरे (सम्पूर्ण या चूर्णित) की दशा में श्रेणी अभिधान चिह्न और ऐसे आधान-पात्रों पर अभिधान चिह्न, जिनमें श्रेणीकृत सफेद जीरे (सम्पूर्ण या चूर्णित) के मुहरबन्द पोलिथीन या कागज के थैले पैक किए हुए हैं, एक ऐसा लेबिल होगा जिस पर श्रेणी अभिधान विनिर्दिष्ट होगा और जिस पर अनुसूची 1 में वर्णित डिजाइन के समूह एक डिजाइन जिसमें शब्द 'ऐगमार्क' सहित भारत का एक रेखा-चित्र और "भारतीय उत्पाद" शब्दों सहित उदीयमान सूर्य की आकृति होगी) बनी होगी।

6. चिन्हन की पद्धति :—(1) श्रेणी अभिधान चिह्न, कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से, प्रत्येक आधान-पात्र पर मजबूती से चिपकाया जाएगा या वहां नियम 5 के अधीन उसे छापने की अनुज्ञा दी गई है वहां मुद्रित किया जायेगा।

(2) प्रत्येक आधान-पात्र पर निम्नलिखित विशिष्टियां भी साफ-साफ और अमिट रूप में चिह्नित की जाएगी अर्थात्—

- (i) कोड या सादे अक्षरों में पैक करने की तारीख,
- (ii) लाट संख्या, और
- (iii) शुद्ध नोल।

(3) कोई भी प्राधिकृत पैकर ऐसे आधान-पात्र पर, जिसमें सफेद जीरा पैक किया हुआ है, ऐसा कोई चिह्न (जिसके अन्तर्गत व्यापार चिह्न भी है) न तो चिपकाएगा और न छापेगा जिससे ऐसी कोई भ्रमालिटी या श्रेणी उपदर्शित होनी हो या उपदर्शित होना संभाव्य हो जो उस वस्तु के श्रेणी अभिधान चिह्न द्वारा उपदर्शित भ्रमालिटी या श्रेणी से भिन्न है, जब तक कि वह इस निमित्त कृषि विपणन सलाहकार का अनुमोदन न प्राप्त कर ले।

7. पैक करने की पद्धति :—(1) पटसन, कपड़े, कागज, या पोलिथीन, टीन, या कांच के बने अगुले, स्वच्छ और सूखे आधान-पात्र पैक करने के लिए प्रयोग में लाये जाएंगे। वे कीट-बाध या कफंद-दूषण से मुक्त होंगे और अवांछनीय गन्ध रहित होंगे।

(2) आधान-पात्र कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से मजबूती से बन्द किये जायेंगे और उन पर मोहर लगाई जाएगी।

(3) प्रत्येक पैकेज में केवल एक ही श्रेणी अभिधान चिह्न का सफेद जीरा, सम्पूर्ण या चूर्ण रूप में, होगा।

8. प्राधिकरण प्रमाण-पत्र की विशेषकर शर्तें :—साधारण श्रेणीकरण और चिन्हन नियम, 1937 के नियम 4 में विनिर्दिष्ट शर्तों के अतिरिक्त, प्राधिकृत पैकरों द्वारा, कृषि विपणन सलाहकार के संतोषप्रद रूप में, निम्नलिखित विशेष शर्तों का भी अनुपालन किया जाएगा, अर्थात्—

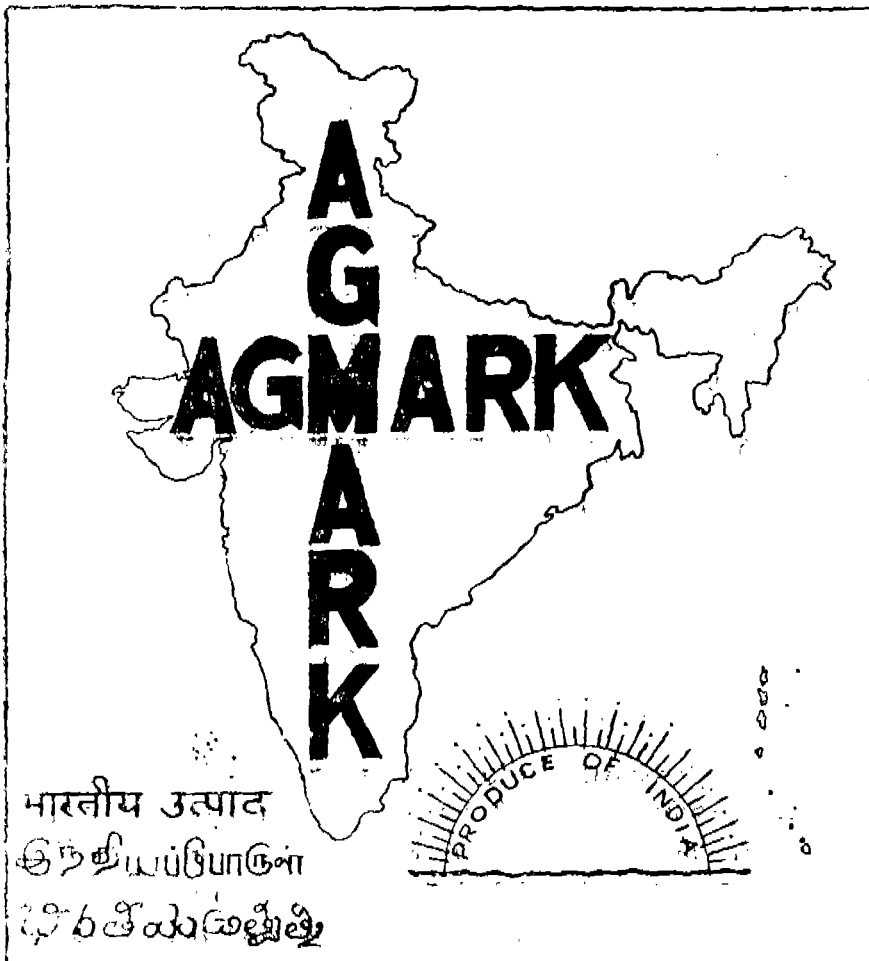
- (1) प्राधिकृत पैकर सफेद जीरे के बीजों का परीक्षण करने के लिए ऐसे प्रबन्ध करेगा जिन्हें कृषि विपणन सलाहकार, सामान्य या विशेष आदेश द्वारा, समय-समय पर विनिर्दिष्ट करे।

- (2) प्राधिकृत पैकर निरीक्षक अधिकारियों को, जिन्हें इन नियमों के अधीन अपने कर्तव्यों का निर्वहन करने के लिए कृषि विपणन सलाहकार द्वारा इस निमित्त सशक्त कर के प्राधिकृत किया गया हो, ऐसी सुविधायें देगा जो आवश्यक हों।

9. निरसन और व्याप्ति :—सफेद जीरा श्रेणीकरण और चिह्नन नियम, 1964, उक्त नियमों के पूर्व प्रवर्तन या तदधीन की गई या सहन की गई किसी बात पर प्रतिकूल प्रभाव डाले बिना, एतद्वारा निरसित किए जाते हैं।

अनुसूची-1

“श्री श्री अग्निमान चिह्न की डिजाइन”



अनुसूची 2

(नियम 3 और 4 देखिए)

सफेद जीरे के (चूर्णित नहीं) क्वालिटी का श्रेणी अभिधान और उसकी परिभाषा

श्रेणी अभिधान	विशेष गुण					साधारण गुण
	वजन के अनु- सार बाहरी वस्तु का प्रति- शत	वजन के अनु- सार अन्य बीजों का प्रतिशत	वजन के अनु- सार जी रालू अन्तर्वस्तु का प्रतिशत	वजन के अनु- सार खराब हुए, और विरजित और धुन वाले बीजों का प्रतिशत	वजन के अनु- सार सुकुड़े हुए और कच्चे बीजों का प्रति- शत	
	अधिकतम	अधिकतम	अधिकतम	अधिकतम	अधिकतम	
1	2	3	4	5	6	7
1. सफेद जीरा विशेष	1.5	0.5	1.0	1.5	1.5	(क) सफेद जीरा बीज क्यूमिनम, साइमिनम एल० पोष के सूखे फल होंगे।
2. सफेद जीरा अच्छा	2.5	1.0	3.0	2.5	3.0	(ख) इनमें रूप रंग, स्वाद और सुवास की दृष्टि से प्रसामान्य जाति-गण होंगे।
3. सफेद जीरा उचित	3.5	1.5	3.5	3.5	4.0	(ग) ये उचित रूप से सूखे होंगे किन्तु उनमें दस प्रतिशत से अनधिक तक नमी हो सकती है।

1	2	3	4	5	6	7
4. सफेद जीरा औसत	5.0	—	5.0	5.0	5.0	(घ) ये दृश्य फफूंदी या कीटबाधा और फफूंदी से मुक्त होंगे। ये अपहानिकर बाह्य वस्तु से भी मुक्त होंगे।

टिप्पण :—“बाह्य वस्तु” के अन्तर्गत धूल, गद पत्थर के टुकड़े, डंठल, तथा या भूसी या कोई अन्य अशुद्धता आती है।

“अन्य बीजों” के अन्तर्गत सफेद जीरे से भिन्न बीज सम्मिलित हैं।

“खराब और विरंजित हुए बीज” वे बीज हैं जो आन्तरिक रूप से खराब और विरंजित हैं और जिस खराबी और विरंजन से क्वालिटी पर कुप्रभाव पड़ता है।

“घुनवाले बीज” वे बीज हैं जो घुन या अन्य कीड़ों द्वारा अंशतः या पूर्णतः छेदे या खाए गए हैं।

“मुकुड़े हुए और कच्चे बीज” वे बीज हैं जो उचित रूप से विकसित नहीं हुए हैं।

अनुसूची—3

(नियम 3 और 4 देखिये)

सफेद जीरे (वृणित) की क्वालिटी का श्रेणी-अभिधान और उसकी परिभाषा

क्वालिटी की परिभाषा				
श्रेणी	विशेष गुण			साधारण
	वजन के अनु- सार नमी का प्रतिशत अधिकतम	वजन के अनु- सार कुल राख का प्रतिशत अधिकतम	वजन के अनु- सार अम्ल प्रविलय राख का प्रतिशत अधिकतम	
1	2	3	4	5
स्टेन्डर्ड	12.0	8.0	1.5	सफेद जीरा (वृणित) सूखा सफेद जीरा, सम्पूर्ण पीसने से प्राप्त हुआ गल होगा।
साधारण	12.0	9.5	1.5	यह अधिमिश्रण, फफूंदी-बुद्धि, कीड़-बाधा और फफूंदी गन्ध से मुक्त होगा।

[सं. का. 13-16/67-ए.एम.]

नई दिल्ली, 3 अक्टूबर, 1969

का. मा. 4102.—मिचं श्रेणीकरण और चिह्नन नियम, 1962 में अतिरिक्त संशोधन करने के लिए निम्नलिखित प्रारूप नियम, जिन्हें कृषि उपज (श्रेणीकरण और चिह्नन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने की केन्द्रीय सरकार प्रत्यापना करती है, उक्त धारा की अपेक्षा अनुसार उन सब व्यक्तियों की जानकारी के लिये, जिन का उस से एतद्द्वारा प्रभावित होना सम्भाव्य है, प्रकाशित किए जाते हैं और एतद्द्वारा सूचना दी जाती है कि उक्त प्रारूप पर 2-11-1969 को या के पश्चात् विचार किया जाएगा।

उक्त प्रारूप के बारे में किसी व्यक्ति से उपर्युक्त सारीख से पूर्व प्राप्त हुए आक्षेप या मुद्दाओं पर केन्द्रीय सरकार द्वारा विचार किया जाएगा।

प्ररूप नियम

1. ये नियम मिर्च श्रेणीकरण और चिह्नन (संशोधन) नियम, 1969 कहे जा सकेंगे ।
2. मिर्च श्रेणीकरण और चिह्नन नियम, 1962 में :—
 - (क) नियम 3 और 4 में “1 से लेकर 5-क तक की अनुसूचियों” श्रृंखला, शब्द और अक्षर के लिए “1 से लेकर 5-ग तक की अनुसूचियों” श्रृंखला, शब्द और अक्षर प्रतिस्थापित किये जायेंगे ।
 - (ख) अनुसूची 5-क के लिए निम्नलिखित अनुसूचियां प्रतिस्थापित की जाएंगी, अर्थात्;

‘अनुसूची—5क’

(निबन्ध 3 और 4 देखिए)

उन किस्मों की मिर्चों की क्वालिटी के, जो इन नियमों की अनुसूची 1, 2, 3, 4 और 5 के अन्तर्गत नहीं आती और भारत में पैदा की जाती हैं,
श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान	रंग	विशेष लक्षण						साधारण लक्षण
		तौल के अनुसार प्रतिशतता की अधिकतम सीमा						
		खराब हुई और विवर्णित फलियां	डंठल रहित फलियां	नमी	छूले बीज	बाह्य पदार्थ	टूटी हुई मिर्चें	
1	2	3	4	5	6	7	8	9
विशेष	किस्म के लक्षण	2.0	2.0	11.5	2 प्रतिशत	1.0	4.0	मिर्च :— (क) ताल मिर्च जाति के सूखे पके फल होंगी।
साधारण	यथोक्त	4.0	3.0	11.5	3 प्रतिशत	2.0	6.0	(ख) उनके लक्षण, आकार, रंग लम्बाई, चरपराहट और बीज उसी प्रकार के होंगे जैसे कि प्रसामान्यतया उस किस्म के होते हैं।
शृङ्ख	यथोक्त	6.0	4.0	11.5	3.0	2.0	8.0	(ग) दृश्य फफूँदी या कीड़ों से रहित होंगी और ठीक हालत में और मानव उपभोग के योग्य होंगी।

1	2	3	4	5	6	7	8	9
								(घ) चालू वर्ष की उपज की और बाहरी रजक पदार्थ, तेल और किसी अन्य अपहानिकर पदार्थ से मुक्त होंगी, और
								(ङ) प्रत्येक परेषण में समान रंग की होंगी और वह रंग एक ही परेषण में विभिन्न पैलों में अलग अलग नहीं होगा ।

विवर्णित फलियां :—भूरे, काले, सफेद और अन्य रंगी छब्बे वाली फलियां ।

बाह्य पदार्थ :—मिट्टी के टुकड़ों और खूले डंठलों सहित सभी बाहरी पदार्थ बाह्य पदार्थ माने जायेंगे । विशेष और साधारण श्रेणियों के बारे में स्तम्भ 7 के अधीन विनिर्दिष्ट सहन सीमा से 0.5 प्रतिशत अधिक तक अनुज्ञेय है ।

आकास्मिक भूलों के लिए विशेष और साधारण दोनों श्रेणियों के लिए स्तम्भ 3 के अन्तर्गत 0.5 प्रतिशत और स्तम्भ 4 के अन्तर्गत 1.0 प्रतिशत की सहनसीमा अनुज्ञेय है ।

नमी :— केवल विशेष और साधारण श्रेणियों में नमी के लिए 0.5 प्रतिशत की सहनसीमा अनुज्ञेय होंगी ।

किस्म :— किस्म का नाम, श्रेणी अभिधान लेबल पर अलग से स्टाम्पित होगा ।

अनुसूची—5ख

(नियम 3 और 4 देखिए)

भारत में उत्पादित मिर्च (डंठल रहित) की क्वालिटी का श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान व्यापार नाम	डंठल सहित फलियां	कैलक्स सहित फलियां	नमी	विशेष लक्षण अधिकतम सहन-सीमा		साधारण लक्षण	
				खुले बीज	बाह्य पदार्थ		
1	2	3	4	5	6	7	8
मिर्च साधारण (डंठल रहित)	डंठल रहित मिर्च	प्रतिशत 100 काउन्ट के अनुसार	प्रतिशत 5.00 के काउन्ट के अनुसार	प्रतिशत 11.00	प्रतिशत 5.00	प्रतिशत 0.5	मिर्च :— (क) लाल मिर्च जाति के सूखे पके फल होंगी । (ख) दृश्य फफूंदी या कीड़ों से रहित होंगी और ठीक हालत में और मानव उपयोग के योग्य होगी । (ग) एक वर्ष की उपज की और बाहरी रंजक पदार्थ तेल और किसी अन्य अपहानिकर पदार्थ से मुक्त होगी ।

बाह्य पदार्थ : कैलक्स टुकड़ों और खुले डंठलों सहित सभी बाहरी पदार्थ बाह्य पदार्थ माने जायेंगे। स्तम्भ 3 और 7 के अन्तर्गत विनिर्दिष्ट सहन सीमा से 0.25 प्रतिशत अधिक तक और स्तम्भ 4 में 0.5 प्रतिशत तक अनुज्ञेय है।

नमी : निर्दिष्ट सीमा से आगे नमी के लिए 0.5 प्रतिशत सहन सीमा अनुज्ञेय होगी।

डंठल रहित मिर्च से ऐसी मिर्च अभिप्रेत है जिसमें कैलक्स को डंठल सहित हटा दिया गया हो।

अनुसूची—5ग

(नियम 3 और 4 देखिए)

भारत में उत्पादित मिर्च (कतरी हुई) की क्वालिटी का श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान	व्यापार नाम	डठल सहित फलियां	नमी	विशेष लक्षण		साधारण पदार्थ
				अधिकतम सहन सीमा		
				खुले बीज	बाह्य पदार्थ	
1	2	3	4	5	6	7
मिर्च साधारण (कतरी हुई)	कतरी हुई मिर्च	प्रतिशत 1.00 काउन्ट के अनुसार	प्रतिशत 11.00	प्रतिशत 3.00	प्रतिशत 0.5	मिर्च :— (क) लाल मिर्च जाति के सूखे पके फल होंगी । (ख) दृश्य फफूंदी या कीड़ों से रहित होगी और वे ठीक हालत में और मानव उपभोग के योग्य होगी । (ग) एक वर्ष की उपज की और बाहरी रंजक पदार्थ, तेलों और किसी अन्य अपहानिकर पदार्थ से मुक्त होगी ।

बाह्य पदार्थ:—कैलक्स टुकड़ों और खुले डंठलों सहित सभी बाहरी पदार्थ बाह्य पदार्थ माने जायेंगे।

स्तम्भ 3 और 6 के अन्तर्गत विनिर्दिष्ट सहनसीमा से 0.25 प्रतिशत अधिक तक अनुज्ञेय है।

नमी:— निर्दिष्ट सीमा से आगे नमी के लिए 0.5 प्रतिशत सहनसीमा अनुज्ञेय होगी। कतरी हुई मिर्च से ऐसी मिर्च अभिप्रेत है जिनके डंठल मूल से ही कटे हुए हों किन्तु जिनमें कैलक्स हों।

[सं० का० 13-23/68 एल० ए०]

बी० आर० कपूर, अवर सचिव।

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION

(Department of Agriculture)

New Delhi, the 25th September 1969

S.O. 4103.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, further to amend the Arecanuts Grading and Marking Rules, 1952, the same having been previously published as required by the said section, namely :—

RULES

1. These rules may be called the Arecanuts Grading and Marking (Amendment) Rules, 1969.
2. In the Arecanuts (Grading and Marking) Rules, 1952, for Schedule I, the following Schedules shall be substituted, namely :—

SCHEDULE —I

(See rule 3)

Grade designation and definition of quality of whole dried arecanuts or betel nuts (Kottapak) Produced in India.

Grade Designation	Diameter*	Minimum Percentage of Topiwali Nuts**	Special Characteristics		Damaged nuts maximum Percentage***	General Characteristics.
			Copra white Min. Percentage	Yellowish brown Maximum Percentage		
1	2	3	4	5	6	7
Moti Special	25 M.M. and over but not exceeding 30 m.m.	75	90	Nil	1/2	The arecanuts shall be whole, fully Husked, of light colour, reasonably well matured, free from blemish cracks, fissure, shrinkage and shall not be hollow inside. The arecanuts shall be worm eaten or otherwise damaged from outside or inside.
A. I.	Do.	40	60	10	1	
A. II.	Do.	10	10	60	2	
Srivardhan Special	23 m.m. and over but less than 25 m.m.	75	90	Nil	1/2	
A. I.	Do.	40	60	10	1/2	
A. II.	Do.	10	10	60	1/2	
Jamnagar Special	20 m.m. over but less than 23 m.m.	75	90	Nil	1/2	
A. I.	Do.	40	60	10	1/2	
A. II.	Do.	40	10	60	1/2	

1	2	3	4	5	6	7
Jeeni Special	Under 20 m.m.	75	90	Nil	1/2	
A. I.	Do.	40	60	Nil	1/2	
A. II.	Do.	10	10	60	1/2	
Mertupalayam Special	19 m.m. and over but less than 23 m.m.	Nil	90	Nil	1	
A. I	15 m.m. and over but less than 19 m.m.	Nil	60	10	1 1/2	
A. II.	12 m.m. and over but less than 15 m.m.	Nil	60	10	2	
Pooja Special	Under 12 m.m.	Nil	90	Nil	1	
Koka Special	19 m.m. and over but not exceeding 23 m.m.	Nil	90	10	2	The arecanuts shall be whole and may be slightly immature. Small cracks & fissures, allowed. Slight shrinkage is also permitted. In A. I. grade adherent skin is not permitted.
A. I.	13 m.m. and over but not exceeding 19 m.m.	Nil	60	20	3	

NOTE — * To allow for accidental errors in grading 5 percent of the nuts of the next lower or higher grade shall be permitted.

** A nut having a portion of its endocarp adhering to it.

*** Damaged nuts include cracked and broken nuts, oversize nuts (Bomda) pieces, nuts not fully husked and those the pith (bhong) of which is black or otherwise damaged by moulds, insects, etc.

[No. F. 13-8/58-L.A.]

New Delhi, the 3rd October, 1969

S. O. 4104.—The following draft rules further to amend the Chillies Grading and Marking Rules, 1962 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) are published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 2-11-1969.

Any objection or suggestions which may be received from any person with respect to the said draft before the date aforesaid, will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Chillies Grading and Marking (Amendment) Rules, 1969.

2. In the Chillies Grading and Marking Rules, 1962—

(a) in rules 3 and 4, for the words, figures and letter "Schedules I to V-A", the words, figures and letter. "Schedules I to V -C" shall be substituted ;

(b) for Schedule V-A, the following Schedules shall be substituted, namely :

"SCHEDULE V-A

(See rules 3 and 4)

Grade Designations and Definition of Quality of Chillies varieties not covered by Schedules I, II, III, IV and V of these Rules and produced in India

Grade Designation	Colour	Special Characteristics Maximum limits percentage by weight						General Characteristics
		Damaged & discoloured pods	Pods without stalk	Moisture	Loose Seeds	Foreign Matters	Broken Chillies	
1	2	3	4	5	6	7	8	9
Special	Characteristics of Variety	2.0	2.0	11.5	2%	1.0	4.0	Chillies shall :— (a) be the dried ripe fruits belonging to the species <i>Capsicum annum</i> .

1	2	3	4	5	6	7	8	9
General	Characteristics of Variety	4.0	3.0	11.5	3%	2.0	6.0	(b) Have the characteristic shape, colour, length, pungency and seed contents normal to the variety. **
Fair	Do.	6.0	4.0	11.5	3.0	2.0	8.0	(c) be free from visible mould or insects and be in sound condition and fit for human consumption. (d) be of current year's crop and free from extraneous colouring matter, oil and any other harmful substance and (e) be of uniform colour in each individual consignment and that colour shall not vary from bag to bag within the consignment.

Discoloured Pods :—Pods having brown, black, white and other coloured patches.

Foreign Matter :—All extraneous matter including clay pieces and loose stalks will be treated as foreign matter. A tolerance is permissible up to 0.5% in excess of the tolerance specified under col. 7 in respect of Special and General Grades.

For accidental errors a tolerance of 0.5% under col. 3 and 1.0% under col. 4 is permissible for both the grades, Special and General.

Moisture :— A tolerance of 0.5% for moisture content will be allowed in Special and General Grade only.

**Variety :—The name of the variety shall be separately stamped on the grade designation label.

(See rules 3 and 4)

Grade designation and definition of quality of Chillies (Stalkless) produced in India

Grade Designation	Trade Name	Pods with stalk	[Pods] with calyx	Moisture	Special Characteristics		General Characteristics
					Maximum limits of Tolerance		
					Loose seeds	Foreign Matter	
1	2	3	4	5	6	7	8
Chillies General (Stalkless)	Stalkless Chillies	% 1.00 by count	% 5.00 by count	% 11.00	% 5.00	% 0.5	Chillies shall :— (a) be the dried ripe fruits belonging to the species <i>Capsicum annum</i> . (b) be free from visible mould or insects and is in sound condition and fit for human consumption and (c) be of one year's crop and free from extraneous colouring matter, oil and any other harmful substance.

Foreign Matter:—All extraneous matter including calyx pieces and loose stalk will be treated as foreign matter. A tolerance is permissible upto 0.25% in excess of the tolerance specified under columns 3 and 7 and 0.5% in column 4.

Moisture :—A tolerance of 0.5% for Moisture content will be allowed over and above the stipulated limit.

Stalkless Chillies means Chillies from which the Calyx together with the stalk are removed.

SCHEDULE V-C

(See rules 3 and 4)

Grade designation and definition of quality of chillies (clipped) produced in India.

Grade Designation	Trade Name	Pods with stalk	Moisture	Special Maximum Loose seeds	Characteristics limits of tolerance Foreign Matter	General Characteristics
1	2	3	4	5	6	7
Chillies General- (clipped)	Clipped chillies	% 1.00 by count.	% 11.00	% 3.00	% 0.5	Chillies shall :— (a) be the dried ripe fruits belonging to the species <i>capsicum annuum</i> L. (b) be free from visible mould or insects and be in sound condition and fit for human consumption. (c) be of one year's crop and free from extraneous colouring matter oils and any other harmful substance.

Foreign matter: All extraneous matter including Calyx pieces and loose stalk will be treated as foreign. A tolerance is permissible upto 0.25% in excess of tolerance specified under column 3 and 6.

Moisture : A tolerance of 0.5% for moisture content will be allowed over and above the stipulated limit. Clipped Chillies means Chillies having the stalk clipped from the very base but having calyx."

[No. F. 13-23/68 LA.]

New Delhi, the 4th October 1969

S.O. 4105.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, the same having been previously published as required by the said section, namely:—

CUMIN SEEDS GRADING AND MARKING RULES, 1969

1. **Short title and application.**—(1) These rules may be called the Cumin Seeds Grading and Marking Rules, 1969.

(2) They shall apply to Cumin Seeds produced in India and shall be in addition to and not in derogation of the General Grading and Marking Rules, 1937.

2. **Definition.**—In these rules:—

- "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
- "Authorised packer" means any person or body of person who has been issued a certificate of authorisation by the Agricultural Marketing Adviser authorising such person or body of persons to grade and mark Cumin Seeds under Agmark.
- "Cumin Seed" means *Cuminum cyminum* L., whether powdered or not;

3. Grade Designation.—The grade designation to indicate the quality of,

- (i) Cumin Seeds (not powdered) shall be as set out in column 1 of Schedule II; and
- (ii) Cumin Seeds (powdered) shall be as set out in column 1 of Schedule III.

4. Definition of quality.—The characteristics of the quality indicated by the respective grade designations,

- (i) specified in column 1 of Schedule II shall be as set out against each grade designation in columns 2 to 7 of that Schedule, and
- (ii) specified in column 1 of Schedule III shall be as set out in columns 2 to 5 of that Schedule.

5. Grade designation marks.—(1) The grade designation mark in the case of Cumin Seeds (whole or powdered) packed in polythene or paper bags or both shall consist of a printed design incorporating the number of certificate of authorisation, the word 'Agmark' and the grade approved by the Agricultural Marketing Adviser. The design to be used for the purpose shall be got approved by the Agricultural Marketing Adviser before it is actually printed.

(2) The grade designation mark in the case of Cumin Seeds in powdered form packed in tins or glass containers shall consist of a paste-on label specifying the grade designation with the word 'Agmark'.

(3) The grade designation mark in the case of Cumin Seeds (whole or powdered) packed in containers of jute or cloth as well as on containers in which sealed polythene or paper bags of graded Cumin Seeds (whole or powdered) are packed shall consist of a label specifying the grade designation and bearing the design (consisting of an out-line map of India with the word 'Agmark' and the figure of rising sun with the words 'Produce of India' and ' ') resembling the one as set out in Schedule I.

6. Method of Marking.—(1) The grade designation mark shall be securely affixed to, or where under rule 5 it is allowed to be printed shall be printed on, each container in the manner approved by the Agricultural Marketing Adviser.

(2) The following particulars shall also be clearly and indelibly marked on each container, namely:—

- (i) date of packing in code or plain letters,
- (ii) lot number, and
- (iii) net weight.

(3) An authorised packer shall not affix or print any mark (including trade mark) on a container in which Cumin Seeds are packed which indicates or is likely to indicate a quality or grade different from that indicated by the grade designation mark of the article unless he obtains the approval of the Agricultural Marketing Adviser in this behalf.

7. Method of Packing.—(1) Only sound, clean and dry containers made of jute, cloth, paper or polythene, tin or glass shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain Cumin Seeds, either whole or powdered, of one grade designation only.

8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following special conditions shall be observed by authorised packers to the satisfaction of the Agricultural Marketing Adviser, namely:—

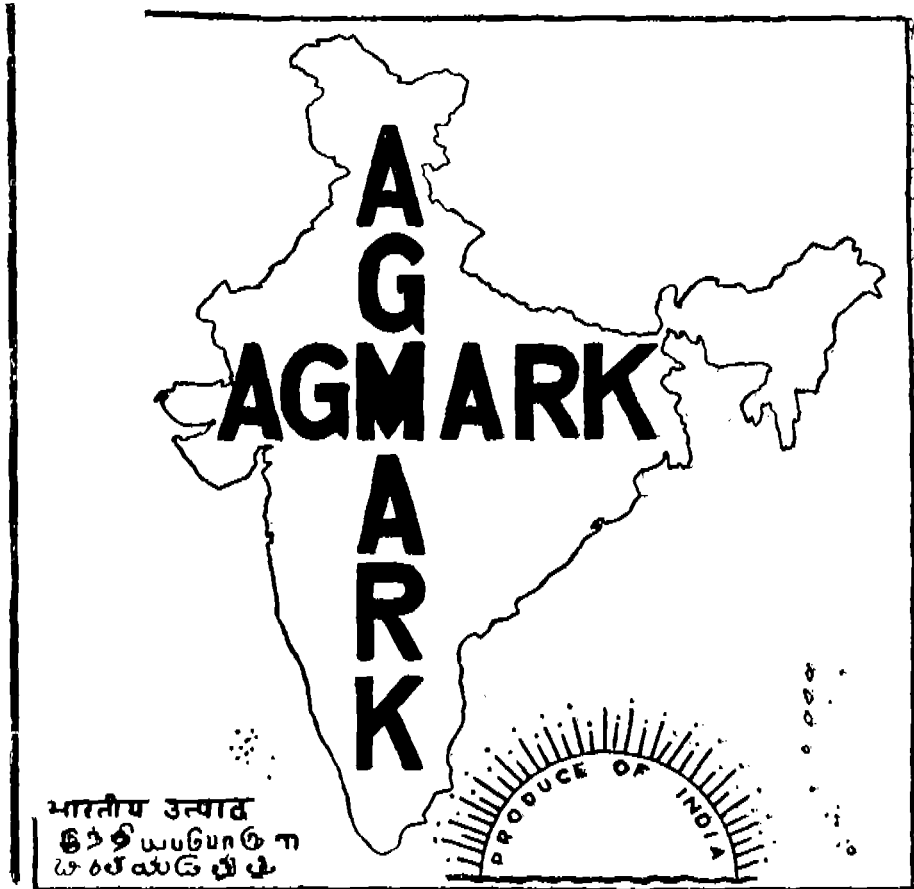
- (1) An authorised packer shall make such arrangements for testing Cumin Seeds as the Agricultural Marketing Adviser may specify by general or special order from time to time
- (2) An authorised packer shall provide such facilities as may be necessary to the Inspecting Officer, duly authorised by the Agricultural

Marketing Adviser in this behalf, to discharge their duties under these rules.

9. **Repeal and Savings.**—The Cumin Seeds Grading and Marking Rules, 1964 are hereby repealed without prejudice to the previous operation of the said rules or anything duly done or suffered thereunder.

SCHEDULE I

“Design for the Grade designation mark”



SCHEDULE II
(See rules 3 and 4)

Grade Designation and definition of quality of Cumin Seeds (unpowdered)

Grade Designation	Special Characteristics					General Characteristic
	Extraneous matter % by wt. max.	Other Seeds % by wt. max.	"Jeerafu" content % by wt. max.	Damaged discoloured and weevilled seeds % by wt. max.	Shriveled and immature seeds % by wt. max.	
1	2	3	4	5	6	7
1. Cumin	1.5	0.5	1.0	1.5	1.5	(a) Cumin Seeds shall be dried fruit of the plant <i>Cuminum</i> <i>Cuminum</i> L.
2. Cumin Good	2.5	1.0	3.0	2.5	3.0	(b) They shall have the Characteristic shape, colour, taste and aroma normal to the species.
3. Cumin Fair	3.5	1.5	3.5	3.5	4.0	(c) They shall be reasonably dry with moisture not exceeding 10 %.
4. Cumin Average	5.0	..	5.0	5.0	5.0	(d) They shall be free from visible mould or insect infestation and musty odour. They shall also be free from any harmful foreign matter.

NOTE:—

"Extraneous matter" includes dirt, dust, stone pieces, stalks, stem or straw or any other impurity.

"Other Seeds" include seeds other than that of Cumin.

"Damaged and Discoloured Seeds" are those seeds that are internally damaged and discoloured, the damage and discolouration materially affecting the quality.

"Weevilled Seeds" are those seeds that are partially or wholly bored or eaten by weevil or other insects.

"Shriveled and Immature Seeds" are those seeds that are not properly developed.

SCHEDULE III
(See rules 3 and 4)

Grade designation and definition of quality of cumin seeds (powdered)

Grade Designation	Definition of Quality			General Characteristics
	Special Characteristics			
	Moisture % by wt. max.	Total ash % bywt. max.	Acid insoluble ash % by wt. max.	
1	2	3	4	5
Standard	12.0	8.0	1.5	Cumin Seed (powdered) shall be the material obtained by grinding dried
General	12.0	9.5	1.5	cumin seed, whole. It shall be free from admixture, mould growth, insect infestation or musty odour.

[No. F. 13-16/67-AM/LA.]

B. R. KAPOOR, Under Secy

MINISTRY OF FOREIGN TRADE AND SUPPLY

(Department of Foreign Trade)

New Delhi, the 20th September 1969

S.O. 4106.—In pursuance of rule 7 of the Export of Linoleum (Quality Control and Inspection) Rules, 1969, the Central Government hereby appoints the persons mentioned in column (2) of the Table below as the panel of experts for the purpose of hearing appeals under the said rules against the decision of the Export Inspection Agency, mentioned in the corresponding entry in column (1) thereof :

Provided that where a member of any of the said panels is personally interested in the subject matter of any appeal, they shall not take part in the proceeding relating to that appeal.

THE TABLE

Authority against whose decision lies	Persons constituting the Panel of experts to which appeal lies
(1)	(2)
1. Export Inspection Agency, Bombay	<p>Chairman (Ex-officio), The Plastic and Linoleum Export Promotion Council, Patel Industrial Centre, 68, Tardeo Road, Bombay-34.—Chairman</p> <p>2. Shri R. M. Patel, M/s. Bhor Industries Private Limited, Sir Vithaldas Chambers, 16, Apollo Street, Bombay-1.</p> <p>3. Shri A. R. Chouhan, The National Leather Cloth Mfg. Co., Ramkrupa Buildings, 2nd floor, 25, Parekh Street, Bombay-4.</p> <p>4. Shri R. M. Jhaveri, M/s. Bharampur Leather Cloth Co., Private Limited, 10, Chowpatty Sea Face, Bombay-7.</p> <p>5. Shri K. M. Banerjee, Assistant Director (Chemical), National Test House Ganitum Buildings, Zakaria BDR Road, Bombay-15.</p> <p>6. Joint Director (Ex-officio), Export Inspection Council, Mani Mahal, 11/12, Mathew Road, Bombay-4.—Convener.</p>
2. Export Inspection Agency, Calcutta	<p>1. Vice-Chairman (Ex-officio), The Plastics & Linoleum Export Promotion Council, Calcutta-1.—Chairman.</p> <p>2. Shri H. M. Nandkeolyar, Factory Manager, Indi^a Linoleums Ltd., Birlapur, 24 Pargana, West Bengal.</p> <p>3. Deputy Director (Export Promotion), (Ex-officio), Office of the Joint Chief Controller of Imports and Exports, 4 & 6, Explanade East, Calcutta-1.</p> <p>4. Shri S. K. Bose, Deputy Director (Chemicals), National Test House, 11/1, Judge's Court Road, Alipore, Calcutta-27.</p> <p>5. Deputy Director (Chemicals), (Ex-officio), Export Inspection Council, 14/1-B, Ezra Street, Calcutta-1.—Convener.</p>
3. Export Inspection Agency, Madras and Cochin.	<p>1. Dr. P. P. Reddy, Joint Director of Industries & Commerce (Chemicals), Chemical Industries Wing, Madras-32.—Chairman.</p> <p>2. Deputy Director (Export Promotion), (Ex-officio), Office of the Joint Chief Controller of Imports and Exports, Post Box No. 1842, Madras-1.</p> <p>3. Prof. P. B. Janardhan, Madras University, A. G. College Campus, Madras-25.</p>

(1)	(2)
4. Export Inspection Agency, Delhi	<p>4. Shri M. S. Nagarajan, Deputy Regional Manager, State Trading Corporation of India Ltd. 123 Mount Road, Madras-6.</p> <p>5. Manager (Ex-officio), Export Inspection Agency Sire Mansion, 123, Mount Road, Madras-6.Convener.</p> <p>1. Director (Ex-officio), Small Industries Service Institute, Okhla, New Delhi-20. Chairman</p> <p>2. Shri K. Manivannan, Technical Expert (Chem. Engg.), Deptt. of Industries, Haryana Government Chandigarh.</p> <p>3. Deputy Director, Export Inspection Agency Delhi, 6B/9, Northern Extension Area, Rajender Nagar, New Delhi-5.</p> <p>4. Deputy Director, Export Inspection Council 6B/9, Northern Extension Area, Rajender Nagar New Delhi-5.Convener.</p>

[No. F. 60(65)/Exp. Insp./68.]

M. K. B. BHATNAGAR,
Dy. Director (Export Promotion).

(Department of Foreign Trade)

New Delhi, the 23rd September 1969

S.O. 4107.—In exercise of the powers conferred by clause (b) of Sub-Section (3) of Section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby nominates Shri S. N. Agarwal, Under Secretary, Ministry of Finance, New Delhi, to be a member of the Central Silk Board in place of Shri A. C. A. Rao, Under Secretary, Ministry of Finance, Bombay and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 2260 dated the 28th June, 1967, namely:—

In the said notification, for the entry against serial number 27, the following entry shall be substituted, namely:—

“23. Shri S. N. Agarwal, Under Secretary, Ministry of Finance (F.T. Division) New Delhi.”

[No. F. 22/1/67-TEX(F).]
DAULAT RAM, Under Secy.

**(Office of the Joint Chief Controller of Imports and Exports)
(Central Licensing Area)**

ORDERS

New Delhi, the 5th September 1969

S.O. 4108.—M/s. B. K. Ice Cream and-Milk Products, Near Tonga Stand, Manimajra, (U.T. CHANDIGARH) were granted Import licence No. P/S/1613237/T dated 20th March, 1969 for import of Powdered Milk. They have applied for duplicate copy of the said licence on the ground that original has been lost/misplaced without having been registered with any Customs authority or utilized at all.

2. In exercise of the powers conferred on me, under clause 9(cc) Import Control Order, 1955, dated 7th December, 1955, as amended upto date, I order cancellation of the licence No. P/S/1613237/T dated 20th March, 1969.

3. On completion of the required formalities the applicant will be issued a duplicate copy of the said licence in accordance with para 302(1) Import Trade Control Hand Book of Rules and Procedure, 1969.

[No. B.1/AM69/AU.UT/CHG/CLA/NU.]

New Delhi, the 24th September 1969

S.O. 4109.—Pratap and Co., 815, Industrial Area-B, Ludhiana, were granted licence No. P/SS/1503915/C/XX/21/C-D/21-22, dated 13th July, 1966 for import of Permissible Radio Parts as per given in the current Red Book for AM. 67 period for Rs. 3175/-. They have applied for a duplicate copy for Custom Purposes thereof on the ground that original has been lost/misplaced. It is further stated that the original licence was registered with Bombay Customs Authority and was utilised partly upto Rs. 2719-50 ps.

2. In support of this contention, the applicant has filed necessary affidavit as required under para 302(2) read with appendix 8 of the I.T.C. Hand Book of Rules and Procedure, 1969. I am satisfied that the original Custom Purpose copy of licence No. P/SS/1503915/C/XX/21/C-D/21-22 dated 13th July, 1966 has been lost/misplaced.

3. In exercise of the powers conferred on me under Clause 9(C) Import (Control), Order, 1955 dated 7th December, 1955 as amended upto-date. I order cancellation of Custom Copy of licence No. P/SS/1503915/C/XX/21/C-D/21-22 dated 13th July, 1966.

4. The applicant are now being issued a duplicate copy of the said licence for Custom Purpose for the balance of Rs. 453-50 in accordance with para 302(2) of I.T.O. Hand Book of Rules and Procedure, 1969.

[No. P/71/AM.66/AU.PB/CLA.]

S.O. 4110.—M/s. Inder Plastic Corporation, 942 Faiz Road, Karol Bagh, New Delhi-5 were granted import licence No. P/S/1611640/T dated 24th June, 1968 for Rs. 5,000 for import of (i) Cellulose Acetate Butyrate Moulding Powder, (ii) Acrylic Plastic Sheets, (iii) Polythelene Moulding Powder (High density) and (iv) Plastic Moulding Powder N.O.S. They have applied for a duplicate Customs purposes copy of the said licence on the ground that original Customs Purposes copy of the licence has been lost/misplaced without having been utilized.

2. In exercise of the powers conferred on me, under clause 9(cc) Import (Control) order, 1955, dated 7th December, 1955, as amended upto-date, I order cancellation of the Customs purposes copy of the Import licence No. P/SS/1611640/T dated 24th June, 1968 (Customs copy).

3. On completion of the required formalities the applicant will be issued a duplicate copy of the Customs Purposes copy of the said licence, in accordance with para 302(i) I.T.C. Hand Book of Rules and Procedure, 1969.

[No. I.6/AM68/AU.UT/CLA/NU.]

RAM MURTI SHARMA,
Jt. Chief Controller of Imports & Exports.

(Office of the Deputy Chief Controller of Imports and Exports, Panjim-Goa)

ORDER

Punjab, the 8th September 1969

S.O. 4111.—M/s. Damodar Auto Parts, Panjim (Goa) were granted an import licence No. P/E/0139870/C/XX/28/G/27-28 dated 23rd July 1968 for Rs. 1,000/- for import of "Photographic negatives and printing papers excluding X-Ray films" under S. No. 303-IV ITC Schedule. They have applied for a duplicate of the Customs Purposes copy of the licence on the ground that the original has been lost or misplaced. It is further stated that the original licence was not registered with any custom house and the licence was not utilised at all. In support of the above contention the applicant firm have filed an affidavit on a stamped paper duly attested by the Taluka Magistrate, First Class Goa, Panjim.

I am satisfied that the Customs purpose copy of the licence No. P/E/0139870/C/XX/28/G/27-28 dated 23rd July 1968 has been lost or misplaced and direct that a duplicate Customs Purposes copy of the licence should be issued to the applicant.

In exercise of the powers conferred on me under section 9(CC) of Import Control Order, 1955 dated 7th December 1955. I order the cancellation of Customs Purposes copy of import licence No. P/E/0139870/C/XX/28/G/27-28 dated 23rd July 1968.

The applicant is now being issued a duplicate copy of Customs Purposes copy of this licence in accordance with the provision contained in para. 302(1) of ITC Hand Book of Rules and Procedure 1969.

[No. EI/303-IV/11/AM69./2517.]

R. D. PAWAR,

Dy. Chief Controller of Imports & Exports.

M/s. Damodar Auto Parts,
Rua Cunha Rivera,
Panjim-Goa.

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 10th September 1969

S.O. 4112.—The Chief Engineer (Hydel), U.P. State Electricity Board, 14, Ashok Road, Lucknow who was granted import licence No. G/AU/1038403/R/GN/30/H/27.28 dated 31-5-69 from West Germany for import of Spares for 2×30 MW—AEG Turbo Sets etc, as per list attached to the licence valued at Rs. 2,11,846/- only has now requested for issue of duplicate copy of the licence (both Customs and Exchange purposes copies) on the ground that the original licence (both copies with list of goods & L/A) has been lost in transit and was not received by him.

In support of this contention the applicant has filed an affidavit. The undersigned is satisfied that both copies of the original licence No. G/AU/1038403/R/GN/30/H/27.28 dated 31-5-69 have been lost and directs that duplicate copies of the said licence should be issued.

The original licence in duplicate has been cancelled. A duplicate licence (both copies) are being issued separately.

[No. 2/SG/10/69-70/PLS(B).]

P. C. VERMA,

Dy. Chief Controller of Imports & Exports.
for Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 24th September 1969

S.O. 4113.—M/s. Jai Hind Printing Press, Jullundur were granted licence No. P/A/1302821/C/XX dated 18th November, 1968 from Chief Controller of Imports and Exports, New Delhi for import of Lithographic Printing Micro Zinc Sheets etc. valued at Rs. 4,358/-. They have requested for the issue of duplicate copy of the licence on the ground that the original Exchange Control Purpose Copy of the licence has been lost by them. It has been further reported by the licensee that the licence was lost after utilising Rs. 2,289/-. The licence has been registered with Collector of Customs, Bombay.

2. In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the original Exchange Control Purpose copy of the licence No. P/A/1302821/C/XX, dated 18th November, 1968 has been lost and directs that a duplicate Exchange Control copy of the said licence should be issued to them. The original Exchange Control Purpose copy is cancelled.

[No. 303-IV/J-1/68-69/NPCIA.]

J. S. BEDI,

Jt. Chief Controller of Imports & Exports.

**MINISTRY OF INDUSTRIAL DEVELOPMENT INTERNAL TRADE
AND COMPANY AFFAIRS**

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 23rd September 1969

S.O. 4114.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed have been established during the period from 1 to 15 September 1969.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS: 428--1969 Specification for distemper, oil emulsion, colour as required. (first revision).	IS: 428-1953 Specification for distemper, oil emulsion, colour as required.	This standard prescribed the requirements and the methods of sampling and test for distemper, oil emulsion. The material is used as a flat finish for decorative purposes on walls and ceilings where frequent washing may become necessary. (Price Rs. 4.00)
2	IS: 722 (Part II/Sec. 2)-1969 Specification for a/c electricity meters. Part II Single-phase 2-wire whole-current watthour meters. Section 2 Meters with basic current ratings.	..	This standard applies to single-phase 2-wire whole-current watthour meters rated in terms of basic currents. (Price Rs. 5.50)
3	IS: 722 (Part VII)-1969 Specification for a/c electricity meters. Part VII Volt-ampere hour metres for full power factor range.	..	This standard applies to poly-phase whole-current and transformer operated volt-ampere-hour meters for full power factor range, with or without maximum demand indicator and other tariff devices of accessories (Price Rs. 2.50).
4	IS: 1130-1969 Specification for marble (blocks, slabs and tiles).	..	This standard lays down the requirements for sizes, physical properties, quality and workmanship of marble (blocks, slabs and tiles). (Price Rs. 3.50).

(1)	(2)	(3)	(4)
5	IS: 1177-1969 Specification for oil of vetiver roots (cultivated and <i>KHUS</i>) (first revision).	(i) IS: 1177-1957 Specification for vetiver (<i>KHUS</i>) oil. (ii) IS: 1614-1960 Specification for oil of vetiver roots (cultivated).	This standard prescribed the requirements and the methods of sampling and test for oil of vetiver roots (cultivated and <i>KHUS</i>). The essential oil is used by the soap, perfumery and cosmetics industries. It is also used as a flavouring agent. (Price Rs. 2.00).
*6	IS: 1489-1967 Specification for portland-pozzolana cement (first revision).	IS: 1489-1962 Specification for portland-pozzolana cement.	This standard covers the manufacture and physical and chemical requirements of Portland-pozzolana cement. (Price Rs. 4.00).
7	IS: 2050-1967 Glossary of footwear terms.	..	This standard covers terms and their definitions used in the Indian footwear industry. (Price Rs. 15.00).
8	IS: 3646 (Part III)-1968 Code of practice for interior illumination.	..	This standard covers the calculation of coefficients of utilization based on BZ classification. (Price Rs. 12.00).
	Part III Calculation of Coefficients of utilisation by the BZ method.		
9	IS: 3904-1966 Specification for thiometon concentrates.	..	This standard prescribes the requirements and the methods of test for thiometon concentrates employed in the preparation of formulations used in the control of the pests of agricultural crops. (Price Rs. 4.50).
10	IS: 4247- (Part II) 1968 Code of practice for structural design of surface hydel power stations.	..	This standard covers types layout and the design of super structure of a surface hydel power station. (Price Rs. 8.50).
	Part II Superstructure.		
11	IS: 4748-1968 Methods for estimating average grain size of metals.	..	This standard covers methods for determining the average grain size of metals and alloys consisting entirely or principally of a single phase. It is also applicable to light to moderately worked metals and alloys and materials having structures similar to metallic structures and comparable to those given in Fig. 1 to 3 (kept separately). (Price Rs. 12.00).

*NOTE.—For purposes of ISI Certification Marks Scheme, IS: 1489-1967 shall come into force with effect from 1 September 1969.

(1)	(2)	(3)	(4)
12	IS: 4918-1968 Specification for hard metal wire drawing dies.	..	Dimensions and requirement for hard metal dies for drawing ferrous and non-ferrous round wires. (Price Rs. 3.00).
13	IS: 4964-1968 Specification for plain-knitted cotton vests.	(i) IS: 2755-1964 Specification for plain and interlock knitted cotton vest and (ii) IS: 3556-1966 Specification for plain-knitted sleeveless cotton vests.	This standard prescribed the requirements of grey, scoured or bleached plain-knitted cotton vests. (Price Rs. 5.00).
14	IS: 5000 (OB1)-1969 Dimensions of semiconductor devices base outline OB1.	..	This drawing has been prepared in accordance with IS: 5001-1969 'Guide for preparation of drawings for semiconductor devices'. (Price Rs. 3.00)
15	IS : 5000(OB2)-1969 Dimensions of semiconductor devices base outline OB2.	..	This drawing has been prepared in accordance with IS: 5001-1969 'Guide for preparation of drawings of semiconductor devices'. (Price Rs. 3.00).
16	IS-5000 (OC1)-1969 Dimensions of semiconductor devices base outline OC1.	..	This drawing has been prepared in accordance with IS: 5001-1969 'Guide for preparation of drawings of semiconductor devices.' (Price Rs. 3.00).
17	IS: 5000 (OD2)-1969 Dimensions of semiconductor devices device outline OD2.	..	This drawing has been prepared in accordance with IS: 5001-1969 'Guide for preparation of drawings of semiconductor devices'. (Price Rs. 3.00).
18	IS: 5001-1969 Guide for preparation of drawings of semiconductor devices.	..	This standard lays down guiding principles for the preparation of out line drawings of semiconductor devices, such as device outlines, case outlines and base outlines. (Price Rs. 7.50).
19	IS: 5027-1969 Method of measurement of current noise generated in fixed resistors.	..	This standard specifies a method of measurement and the associated test conditions for use in the determination of the magnitude of current noise generated in fixed resistors. (Price Rs. 5.50).
20	IS: 5126 (Part 1)-1969 Glossary of general terms for sensory evaluation of foods.	..	This standard covers definitions of general terms relating to methods of sensory evaluation of food products. (Price Rs. 5.00).

(1)	(2)	(3)	(4)
21	IS: 5126(Part II)-1969 Glossary of general terms for sensory evaluation of foods.	..	This standard covers definitions of general terms relating to the sensory quality characteristics of foods. (Price Rs. 4.00)
	Part II Quality characteristics.		
22	IS: 5144-1969 Specification for metal forearm crutches (Canadian pattern).	..	This standard covers the requirements pertaining to material, shape, dimensions, workmanship, finish and performance of adjustable metal forearm crutches (Canadian pattern). (Price Rs. 2.50).
23	IS: 5150-1969 Specification for rubber tips for crutches and walking sticks.	..	This standard lays down the requirements pertaining to materials, shape, dimensions, workmanship and finish of rubber tips for crutches and walking sticks. (Price Rs. 2.00).
24	IS: 5153-1969 Specification for proportional compasses 150, 200 and 300 mm.	..	This standard covers the requirements of proportional compasses having nominal sizes 150, 200 and 300 mm for use in drawing offices. (Price Rs. 2.00).
25	IS: 5157-1969 Specification for forceps, eye, iris.	..	This standard lays down the requirements for iris forcep used in eye surgery. (Price Rs. 2.50).
26	IS: 5163-1969 Specification for CHHANA.	..	This standard prescribes the requirements and the methods of sampling and test for CHHANA. (Price Rs. 2.00)
27	IS: 5175-1969 Specification for polypropylene lines and ropes for marine purposes.	..	This standard prescribes the requirements for various types of marine lines and ropes made from monofilament polypropylene. (Price Rs. 2.50).
28	IS: 5177-1969 Specification for jute lines and ropes.	..	This standard prescribes the requirements of hawser-laid (3-strand) jute. (a) lines of diameter 2 to 7 mm and with linear density from 6.4 to 34 kilotex; and (b) ropes of diameter 8 to 48 mm and with linear density from 46 to 1658 tex. (Price Rs. 3.50).

Copies of these Indian Standards are available for sale with the Indian Standards Institution Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1 and also the branch offices at (i) 534 Sardar Vallabhbhai Patel Road, Bombay-7 (ii) 5, Chowringhee Approach Road, Calcutta-13, (iii) 54 General Patters Road, Madras-2. (iv) 117/418 B, Sarvodaya Nagar, Kanpur and (v) 5-9-201/2, Chirag Ali Lane, Hyderabad-1.

New Delhi, the 28th September 1969

S.O. 4115.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are mentioned in the Schedule given hereafter, have been cancelled.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard cancelled	No. and Date of Gazette Notification in which Establishment of the Indian Standard was Notified
1	IS:2755-1964 Specification for plain and interlock knitted cotton vests	S.O. 226 dated 4 January 1965 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 16 January, 1965.
2	IS:3556-1966 Specification for plain-knitted sleeveless cotton vests	S.O. 241 dated 4 January 1967 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 21 January, 1967.

[CMD/13:7]

New Delhi, the 29th September 1969

S.O. 4116.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulation 1955, as amended from time to time, the Indian Standards Institution hereby notifies that licence Nos. CM/L-736 and CM/L-737, particulars of which are given below, have been cancelled with effect from 1 October 1969 :

Licence No. & Date	Name and Address of the Licensees	Article/Process covered by the licence cancelled	Relevant Indian Standard
CM/L-736 29-6-64	M/s. Bombay Steel Rolling Mills Ltd., Kalyani, Distt. Nadia (W. Bengal) having their office at 35, Netaji Subhas Road, Calcutta.	Structural Steel (Standard Quality)	IS:226-1962 Specification for Structural Steel (Standard Quality) (<i>Third Revision</i>)
CM/L-737 29-6-64.	M/s. Bombay Steel Rolling Mills Ltd., Kalyani, Distt. Nadia (W. Bengal) having their office at 35, Netaji Subash Road, Calcutta.	Structural Steel (Ordinary Quality)	IS:1977-1962 Specification for Structural Steel (Ordinary-Quality)

[CMD/55:736.]

S.O. 4117.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulation 1955 as amended from time to time, the Indian Standards Institution hereby notifies that the licence No. CM/L-1247 particulars of which are given below, has been cancelled with effect from 16 September 1969 :

Licence No. and Date	Name and Address of the Licensee	Article/Process covered by the licence cancelled	Relevant Indian Standard
CM/L-1247 21-4-1966	M/s. Sur Enamel and Stamping Works Pvt. Ltd., 24, Middle Road, Entally, Calcutta-14.	Enamelware for home use (wash basins only)	IS:3149-1968 Specification for Enamelware for Home use (<i>First Revision</i>)

[CMD/55:1247]

New Delhi, the 30th September 1969

S. O. 4118.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations:

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified.	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:16—1956 Specification for shellac (<i>revised</i>)	S.R.O. 656 dated 2 March 1957	No. 1 July 1969	i) Grade designations for machine-made shellac have been revised and certain modifications made in the methods of determination of wax, arsenic and lead; and ii) Additional requirements for grit, iodine value, water soluble acidity and alkalinity (for machine-made shellac only) and clarity of solution (for machine-made, de-waxed shellac only) and the corresponding methods of test have been added.	3 September, 1969
2	IS:456—1964 Code of practice for plain and reinforced concrete (<i>second revision</i>)	S.O. 2042 dated 26 June 1965	No. 4 October 1969	Clauses 8-1-3 and 13-9-5 have been amended	1 October 1969
3	IS:779—1968 Specification for water meters (domestic type) (<i>fourth revision</i>)	S.O. 593 dated 15 February 1969	No. 1 August 1969	Clause 2.9 has been substituted by a new one	5 September 1969
4	IS:815—1966 Classification and coding of covered electrodes for metal arc welding of mild steel and low alloy high-tensile steel (<i>revised</i>)	S.O. 4023 dated 31 December 1966	No. 1 September 1969	Clause D-2.2 has been substituted by a new one	23 September 1969
5	IS:903—1965 Specification for fire hose delivery couplings, branch pipe, nozzles and nozzle spanner (<i>revised</i>)	S.O. 444 dated 12 February 1966	No. 1 September 1969	(Page 9, Fig. 3)—Substitute '30.5 ± .2' for '35.5 ± .2'	1 September 1969

(1)	(2)	(3)	(4)	(5)	(6)
6	IS:908—1965 Specification for fire hydrant, stand post type (<i>revised</i>)	S.O. 1081 dated 9 April 1966	No. 1 September 1969	Clauses 3.2 and 3.3 have been amended	1 September 1969
7	IS:909—1965 Specification for underground fire hydrant, sluice valve type (<i>revised</i>)	S.O. 1992 dated 2 July 1966	No. 1 October 1969	Do.	1 October 1969
8	IS:936—1965 Specification for underground fire hydrant, double valve type (<i>revised</i>)	S.O. 1081 dated 9 April 1966	No. 1 October 1969	Clauses 3.1 and 3.2 have been amended	1 October 1969
9	IS:996—1964 Specification for single-phase small and universal electric motors (<i>revised</i>)	S.O. 469 dated 11 February 1967	No. 5 August 1969	Clause E-1.1 has been substituted by a new one	10 September 1969
10	IS:1458—1965 Specification for railway bronze ingots and castings (<i>revised</i>)	S.O. 1308 dated 30 April 1966	No. 4 September 1969	Figure 3 has been amended	1 September 1969
11	IS:1467—1960 Specification for ferro tungsten	S.O. 2084 dated 27 August 1960	No. 3 September 1969	Clause 3.1 has been substituted by a new one	1 September 1969
12	IS:1489—1967 Specification for portland-pozzolana cement (<i>first revision</i>)	—	No. 2 May 1969	A new sub-clause 6.4.1.1. has been added after clause 6.4.1	1 September 1969
13	IS:1822—1967 Specification for ac motor starters of voltages not exceeding 1000 Volts (<i>first revision</i>)	S.O. 2036 dated 8 June 1968	No. 1 October 1969	(i) Clause 4.2.4. has been deleted and the subsequent ones re-numbered accordingly (ii) Sl. No. (vi) in table 5 has been deleted	1 October 1969
14	IS:1897—1962 Specification for copper strip for electrical purposes withdrawn or rolled edges (0.50 mm to 150 mm width)	S.O. 1760 dated 29 June 1963	No. 3 September 1969	Clause 5.1 has been substituted by a new one	3 September 1969
15	IS:2024—1962 Specification for silico-chromium	S.O. 2562 dated 11 August 1962	No. 1 September 1969	Table 1 has been amended	1 September 1969
16	IS:2089—1962 Specification for common proofed paulins (tarpaulins)	S.O. 3881 dated 29 December 1962	No. 2 September 1969	The amendment aims at removing ambiguity associated with certain clauses which were modified. Also, some additional details have been incorporated for clarity	24 September 1969
17	IS:2206 (Part D)—1962 Specification for flameproof electric lighting fittings Part I Well-glass and bulkhead types	S.O. 2370 dated 28 August 1963	No. 4 October 1969	Clause 4.10.3 (h) has been amended	1 October 1969
18	IS:2480—1964 Specification for general purpose glass thermometers	S.O. 895 dated 23 February 1965	No. 1 June 1969	(Page 9, Table 1, entry against 'Stem diameter')—Substitute '5.5 to 8.0 mm' for '6 to 8 mm.'	19 September 1969

19	IS:2501—1963 Specification for copper tubes for general engineering purposes	S.O. 280 dated 25 January 1964	No. 1 September 1969	Clause 5.1 has been substituted by a new one	1 September 1969
20	IS:2839—1964 Specification for industrial stoneware	S.O. 2729 dated 4 September 1965	No. 1 September 1969	Table 1 has been amended	1 September 1969
21	IS:3051—1965 Dimensions for wrought copper and copper alloys plate	S.O. 2820 dated 11 September 1965	No. 1 September 1969	(Page 5, clause 3.3, first entry in the informal table)—Delete '10-0'	1 September 1969
22	IS:3196—1968 Specification for welded low carbon steel gas cylinder for the storage and transportation of low pressure liquefiable gases (<i>first revision</i>)	S.O. 3961 dated 9 November 1968	No. 2 October 1969	(i) [Page 12, clause 11.1, item (c)]—Delete the item and re-number the subsequent items accordingly. (ii) (Page 12, clause 11.2)—Delete the clause	5 September 1969
23	IS:3490—1965 Specification for nigerseed oil	S.O. 2602 dated 27 August 1966	No. 1 August 1969	This amendment is being issued in order to provide for the solvent-extracted nigerseed oil in this standard	1 August 1969
24	IS:3491—1965 Specification for safflower oil	S.O. 2246 dated 30 July 1966	No. 1 August 1969	This amendment is being issued in order to provide for the solvent-extracted safflower oil in this standard	1 August 1969
25	IS:3498—1966 Specification for metal tables (office type)	S.O. 2419 dated 13 August 1966	No. 2 July 1969	Clause 2.8 has been substituted and the foot-note with two-dagger (††) marks has been deleted	1 July 1969
26	IS:3803—1967 Method for elongation conversions for steel	S.O. 1367 dated 20 April 1968	No. 1 July 1969	Table 1 has been amended	1 July 1969
27	IS:3878—1967 Specification for plaster shears, dental	S.O. 1972 dated 10 June 1967	No. 1 September 1969	(i) The existing title on first cover page and pages 1 and 2 has been amended (ii) Clause 6.1 has been substituted by a new one (iii) A new dimension has been added in Fig. 1 and the existing caption substituted by the following one: Fig. 1 shears, plaster, dental (iv) Clause 6.1.1 has been deleted and the existing clause 6.1.2 substituted by a new clause 6.1.1	1 September 1969

*Establishment of this standard has been notified *vide* notification sent to press on 23 September 1969.

(1)	(2)	(3)	(4)	(5)	(6)
28	IS: 3879—1967 Specification for wax spatula, dental	S.O. 2038 dated 17 June 1967	No. 1 September 1969	(i) The existing title on first cover page and pages 1 & 2 has been amended. (ii) A new clause 3.2 has been added after clause 3.1 (iii) Clause 7.1 and Fig. 1 have been substituted by new ones	1 September 1969
29	IS: 3926 (Part I)—1966 Specification for continuous sprayer, knapsack type Part I Reciprocating type	S.O. 1759 dated 20 May 1967	No. 1 September 1969	(Page 7, clause 9.1, line 1)— Substitute '45 mm' for '44 mm'	1 September 1969
30	IS: 4076—1967 Specification for hard brass wires for springs and other special purposes	S.O. 1720 dated 18 May 1968	No. 1 September 1969	Clause 5.2 has been substituted by a new one	1 September 1969
31	IS: 4108—1967 Specification for press buttons	S.O. 2654 dated 5 August 1967	No. 1 September 1969	(i) The existing title on first cover page and pages 1 & 2 has been amended (ii) Clauses 1.1, 2.1, 4.1, 4.2, 5.1, 6.1, 7.1, and informal table and caption of Fig. 1 have been amended (iii) The name of Shri N. Manoharan, representative of Needle Industries (India) Ltd., Nilgiris, with Shri S. Dhanrajan as an alternate, has been included in the composition of Sectional Committee (CPDC 22) and Sub-Committee (CPDC 22:3)	1 September 1969
32	IS: 4369—1967 Specification for carbon steel bars for forgings	S.O. 1367 dated 20 April 1968	No. 1 October 1969	Clauses 8.1 & 8.2 have been amended	1 October 1969
33	IS: 4413—1967 Specification for brass wires for general engineering purposes	S.O. 1367 dated 20 April 1968	No. 1 October 1969	Clause 5.2 has been substituted by a new one	1 October 1969
34	IS: 4454—1967 Specification for steel wires for cold formed springs	S.O. 2766 dated 10 August 1968	No. 1 September 1969	(Page 8, Table 2, col 5, last two entries)—Substitute '217' for '215' and '215' for '217'	22 September 1969

35	IS: 4473—1967 Specification for gas ovens for use with liquefied petroleum gases, domestic	S.O. 2036 dated 8 June 1968	No. 1 September 1969	A new clause 25 has been added after clause 24.6 and the subsequent ones re-numbered accordingly, wherever they appear	1 September 1969
36	IS: 4517—1967 Specification for brush, welder's	S.O. 2578 dated 20 July 1968	No. 1 October 1969	i) Clause 4.3.2 has been substituted by a new one ii) (Page 5, Fig. 1)—substitute '60 HOLES' for '90 HOLES' in the top left hand figure	1 October 1969

Copies of these amendments are available with the Indian Standards Institution, 'Manak Bhavan', 9, Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) 534 Sardar Vallabhbhai Patel Road, Bombay-7 (ii) 5 Chowringhee Approach, Calcutta-13 (iii) 54 General Patters Road, Madras-2 (iv) 117/118 B, Sarvodaya Nagar, Kanpur, and (v) 5-9-201/2 Chirag Ali Lane, Hyderabad-1.

[No. CMD/13:5]

A. K. GUPTA,
Deputy Director General.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION**(Department of Labour and Employment)***New Delhi, the 25th September 1969*

S.O. 4119.—Whereas certain draft schemes further to amend the Kandla Dock Workers (Regulation of Employment) Scheme, 1969, were published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), at page 2521 of the Gazette of India-Part II, Section 3 sub-section (ii), dated the 21st June, 1969, under the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), No. S.O. 2399 dated the 9th June, 1969, inviting objections and suggestions from all persons likely to be affected thereby, till the 10th July, 1969;

And whereas the said Gazette was made available to the public on the 21st June, 1969;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4, the Central Government hereby makes the following scheme further to amend the Kandla Dock Workers (Regulation of Employment) Scheme, 1969, namely:—

Amendment Scheme

1. This Scheme may be called the Kandla Dock Workers (Regulation of Employment) First Amendment Scheme, 1969.

2. In the Kandla Dock Workers (Regulation of Employment) Scheme, 1969, in clause 6, in the first proviso, for the words "rupees eight hundred and above" the words "rupees one thousand and above" shall be substituted.

[No. 63/14/69-Fac. II.]

ORDER*New Delhi, the 3rd October 1969*

S.O. 4120.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs J. B. Traders & Co., Chipping and Painting Contractor of Calcutta Port Commissioners, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

(i) Whether the demand of the workmen employed by Messrs J. B. Traders & Co., 77/IA, Manasatla Lane, Calcutta-23, for interim relief and dearness allowance as recommended by the Central Wage Board for Port and Dock Workers for Major ports is justified?

(ii) If so, from what date they are entitled to such benefits?

[No. 28/61/69-Fac.II.]

C. RAMDAS, Dy. Secy.

(Department of Labour and Employment)*New Delhi, the 26th September 1969*

S.O. 4121.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation,

(Department of Labour and Employment) No. S.O. 3946, dated 30th October, 1968; the Central Government having regard to the location of the Government Press at Bhavnagar, belonging to the State Government of Gujrat, in an implemented area, hereby exempts the said press from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 7th October, 1969 upto and inclusive of the 6th October, 1970.

[File No. 6/86/68/HL.]

S.O. 4122.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) No. S.O. 4277, dated the 23rd November, 1968, the Central Government, having regard to the location of the High Court Press, Hyderabad, a wing of the Government Central Press, Hyderabad, in an implemented area, hereby exempts the said press from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 25th September, 1969 upto and inclusive of the 24th September, 1970.

[File No. 6/94/68/HL.]

S.O. 4123.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4038, dated the 6th November, 1968, the Central Government, having regard to the location of the Biological Products Section, Post Office Veterinary College, Hissar, in an implemented area, hereby exempts the said Section from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 30th September, 1969 upto and inclusive of the 29th September, 1970.

[File No. 6(85)/68-HL.]

S.O. 4124.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) S.O. 885, dated the 27th February, 1968, the Central Government, having regard to the location of the factory, namely the Agricultural University Press at Ludhiana, in an implemented area, hereby exempts the said press from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period from the 20th January, 1969, upto and inclusive of the 19th January, 1970.

[File No. 6(70)/69-III.]

New Delhi, the 29th September 1969

S.O. 4125.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the Aluminium Industries Limited, Hyderabad, in an implemented area, hereby exempts the said factory from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year upto and inclusive of the 31st January, 1970.

[No. F. 6/22/69-III.]

S.O. 4126.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the Location of the factories specified in column (4) of the Schedule annexed hereto in sparse areas specified in the corresponding entry in Column (3) of the said Schedule in the State of Bihar, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the Factory
(1)	(2)	(3)	(4)
1.	Bhagalpur	Bounsi	(1) M/s. N.P.C.C. Ltd., Spillway Stone Crusher, Chandan Dam Unit, Bounsi District Bhagalpur. (2) M/s. N.P.C.C. Ltd., Rosania Quarry, Chandan Dam Unit. (3) M/s. N.P.C.C. Ltd., Workshop, Chandan Dam Unit.
2.	Dhandbad	Chas.	M/s. Sharma Enggs. Co., By Pass Road.
3.	Gaya	Navinagar.	M/s. Shree Radha Krishna Rice & oil Mills.

[No. F. 6/26/69-HI.]

S.O. 4127.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factories specified in column (4) of the Schedule annexed hereto in sparse areas specified in column (3) of the said Schedule in the State of Andhra Pradesh, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of the provisions of Chapter V of that Act in those areas whichever is earlier.

SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the Factory
(1)	(2)	(3)	(4)
1.	Nazamabad.	Kisan Nagar	M/s. Kisan Cement Pipe Company.
2.	West Godavari	Niddadavolu	M/s. Sri Radha-Krishna Re-inforced Cement Pipes and Ferro Concrete Works.

[F. No. 6/19/69-HI.]

S.O. 4128.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factories specified in column (4) of Schedule annexed hereto in sparse areas specified in the corresponding entry in column (3) of the said Schedule in the State of Tamil Nadu, hereby exempts the said factories from the payment of employers' special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of this notification in the Official Gazette or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the Factory
(1)	(2)	(3)	(4)
1.	Chingleput	Alinchivakkam	Lakshmi Paper and Board Mills, Shola-varam.
2.	Salem	Ariyagoundanpatti	Sriman Narayana Sago Factory, Namagiri Pettai (Via).

(1)	(2)	(3)	(4)
	Ayilpatti	Jayalakshmi Sago Factory	Attur Main Road.
	Chinnakakkaveri	Dhanalakshmi Vilas Sago Factory,	Namagiri Pet.
	Namagiripet	Sri Manicka Vinayagir Sago Factory,	S.F. 18/3, Pudupatti Road.
	R. Pudupatti.	Shri Shammuga Sago Factory, Namagiri	Pettai (Via), Rasipuram Taluk.
	Singalandapuram	Prakasam Sago Factory, Thopp Patti Road	Rasipuram Taluk.
	Tho Jeddarpalayam	(1) Shri Lakshmi Vilas Sago Factory,	Namagiri Pet.
		(2) Shri Sengottaiah Sago Factory, Namagiri	Pet (via) Rasipuram Taluk.

[F. No. 6/33/68-HI.]

New Delhi, the 3rd October 1969

S.O. 4129.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 353 dated the 16th January, 1969, namely:—

In the said notification for the words, "from the operation of the said Act for a period of one year", the words, "from the operation of the said Act except Chapter VA for a period of one year", shall be substituted.

[No. F. 6(43)/87-HI.]

New Delhi, the 6th October 1969

S.O. 4130.—In pursuance of sub-section (3) of section 73A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby gives notice of its intention to vary the percentage of the total wage bill of the employer constituting the employer's special contribution fixed in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 851 dated the 20th March, 1962, to the following extent, namely:—

In the case of factories and establishments situate in any area in which the provisions of both Chapters IV and V of the said Act are in force, the employer's special contribution shall be raised—

(i) with effect from the 1st January, 1970, from 3 per cent to 3½ per cent, and

(ii) with effect from the 1st April, 1970, from 3½ per cent to 4 per cent. of the total wage bill of the employer.

[File No. 1/17/69-HI.]

Corrigendum

New Delhi, the 29th September 1969

S.O. 4131.—In the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3534, dated the 29th August, 1969, published at page 3737 of the Gazette of India, Part II Section 3) (ii) in para read 1966 for 1969.

[F. No. 6(4)/69-HI]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 27th September 1969

S.O. 4132.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the management of Sitanala Colliery of Shri D. K. Samanto, Post Office Bhojudih Dhanbad) and their workmen, which was received by the Central Government on the 16th September, 1969.

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 3) AT DHANBAD

REFERENCE No. 27 OF 1969.

PRESENT:

Shri Sachidanand Sinha, M.A.M.L.—*Presiding Officer*.

PARTIES:

Employers in relation to management of Sitanala Colliery of Shri D. K. Samanto,

AND

Their workmen.

APPEARANCES:

For Employers—Shri R. N. Roy.

For Workmen—None appeared.

INDUSTRY: Coal.

STATE: Bihar.

Dhanbad, dated the 9th September, 1969.

AWARD

1. The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the management of Sitanala Colliery of Shri D. K. Samanto, Post Office Bhojudih (Dhanbad) and their workmen, by its order No. 2/24/69-LR11, dated the 25th of April, 1969 referred to this Tribunal under section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The Schedule is extracted below:

SCHEDULE

“Whether the management of Sitanala Colliery of Shri D. K. Samanto, Post Office Bhojudih (Dhanbad) was justified in stopping from work Shri Jagadish Narain Singh, Mining Sirdar, with effect from the 17th June, 1968? If not, to what relief is the workman entitled?”

2. The employers filed their written statement on 30th May, 1969. In their written statement it was alleged that the concerned workman Sri Jagadish Narain Singh has since approached the management and entered into a mutual settlement dated 15th April 1969 by which the management agreed to pay a lump sum payment of Rs. 600/- in full and final settlement of all his claims and demands against the management and that in pursuance of the above settlement Sri Jagadish Narain Singh has received a sum of Rs. 600/- and has granted a receipt for the same and that in view of the above settlement there does not exist any dispute between the employers and the concerned workman which needs any adjudication by this Tribunal.

3. The Union was asked to file the written statement by 25th August, 1969 which was the date fixed for preliminary hearing. On that date Sri R. N. Roy appeared on behalf of the management and filed a petition to the effect that the concerned workman Sri Jagadish Narain Singh received a sum of Rs. 600/- in full and final payment of all his dues and that he voluntarily resigned from his service for better prospect elsewhere. The management also filed the original copy of the agreement arrived at between the management and the concerned workman Sri Jagadish Narain Singh. The management also filed the original receipt granted by the concerned workman Sri Jagadish Narain Singh. The receipt shows that the concerned workman has received his Mining Sirdars Certificate and Gas Testing Certificate.

4. The next date fixed for hearing was 8th September 1969. Even on this date the workman did not appear. Therefore, I find that in this case the Union did not file written statement nor they appeared on the date fixed for hearing. There is no explanation for their conduct excepting dis-interestedness in the dispute.

5. In this view of the case I presume that 'NO DISPUTE' exists between the parties and I record a 'NO DISPUTE' award between the parties. It may now be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHINDANAND SINHA, Presiding Officer.

[No. 2/24/69-LRII.]

S.O. 4133.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen, which was received by the Central Government on the 17th September, 1969.

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 3) AT DHANBAD

REFERENCE NO. 96 OF 1968

PRESENT:

Shri Sachindanand Sinha, M.A.M.L., Presiding Officer.

PARTIES:

Employers in relation to Jamadoba Colliery.

Vs.

Their workmen.

APPEARANCES:

For employers—Shri L. H. Parvatiyar, Legal Asstt.

For workmen—Shri H. N. Singh, Vice-President, Koyala Mazdoor Panchayat.

INDUSTRY: Coal.

STATE: Bihar.

Dhanbad, dated the 30th August 1969

AWARD

1. The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company, Jamadoba, Post Office, Jealgora, District Dhanbad and their workmen, by its order No. 2(176)/66-LRII, dated the 16th of March, 1967 referred under section 10(1)(d) of the Industrial Disputes Act, 1947 to the Central Government Industrial Tribunal, Dhanbad for adjudication the dispute in respect of the matters specified in the Schedule annexed hereto. The Schedule is extracted blow:—

SCHEDULE

"Whether the suspension of Shri Jhilu Tiwari, Chaprasi for 10 days from 4th August, 1966 to 13th August, 1966 by the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District, Dhanbad was legal and justified? If not, to what relief is he entitled?"

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as reference No. 30 of 1967 on its file. While it was pending there the Central Government by its order No. 8/25/67-LRII, dated the 8th of May, 1967 transferred the dispute to the Central Government Industrial Tribunal No. 2, Dhanbad where it was registered as reference No. 227 of 1967. The Central Government, by its subsequent order No. 8/71/68-LRII, dated the 13th of August, 1963 transferred the dispute to this Tribunal and here it has been renumbered as reference No. 96 of 1968.

3. The management filed their written statement on 16th January, 1968 and their rejoinder on 17th October, 1968. Their case is that the concerned workman Shri Jhilu Tiwari was employed as a Chaprasi at Jamadoba Golliery, Shri Jhilu Tiwari made an unauthorised construction at No. 10 pit Incline area of Jamadoba on a plot of land belonging to M/s. Tata Iron and Steel Company Ltd. By letter dated 13th/14th June, 1966, Shri Jhilu Tiwari was instructed to remove the above unauthorised construction within 3 days to which he replied alleging that the construction is on his own land. The Company again checked up with reference to the certified copy of the record of rights and survey settlement plan and found that the unauthorised construction was on Company's land being plot No. 1940. In view of the above Shri Jhilu Tiwari was again asked by letter dated 21st/22nd June, 1966, to remove the aforesaid unauthorised construction within 3 days of the receipt of the letter but he refused to carry out the above instruction.

4. In spite of repeated demands Shri Jhilu Tiwari refused to carry out the order of removing the unauthorised construction, a chargesheet, dated 2nd/4th July, 1966, was issued to Shri Jhilu Tiwari to which he submitted a reply. A departmental enquiry into the above chargesheet was held on the 18th July, 1966, in presence of Shri Jhilu Tiwari wherein he was given full chance and opportunities to cross examine the Management's witnesses and also to examine his defence witness. In the above departmental enquiry the misconduct mentioned in the chargesheet was satisfactorily established and Shri Jhilu Tiwari's explanation was found to be baseless and without any substance. Shri Jhilu Tiwari was therefore, suspended for 10 days only with effect from 4th August, 1966. The above suspension was *bona fide* and based on proved misconduct and therefore, the concerned workman Shri Jhilu Tiwari is not entitled to any relief.

5. The Vice-President, Koyala Mazdoor Panchayat filed the written statement on behalf of the workman on 8th January, 1968. Their case is that Shri Jhilu Tiwari took a plot of land bearing No. 1939 from the owners of the land and constructed cattle shed at the same plot. When he constructed the cattle shed in the year 1946 the management filed a suit in the Civil Court but the management had to withdraw their case because they were not sure that the plot number on which this shed was constructed belonged to them.

6. In the year 1960 the management gave a chargesheet to Shri Jhilu Tiwari for unauthorised construction of a cattle shed on the Company's land by letter dated 19th December, 1960. Shri Jhilu Tiwari replied to the chargesheet on 30th December, 1960 and asserted that the shed was not constructed on the Company's land and that the management had to withdraw the case from the Civil Court because they could not establish that the plot of the land belonged to the Company. The Company did not proceed in the matter and left it.

7. On 16th/18th May, 1966, after a lapse of about 6 years the Company brought the same charge against him for an unauthorised construction of the shed on the Company's land. Shri Jhilu Tiwari replied to the chargesheet asserting that the shed did not stand on the Company's land and that this matter was already referred to a court of law and the Company had to withdraw their case because they could not establish the ownership of the plot on which this shed was constructed.

8. According to the Union it could not be established that the shed was constructed on the Company's land. It could have been only established by proper survey which was not done. In absence of the ownership of the plot of the land on which this shed stands, the Company could not have asked him to demolish the shed and the Company's order was *ultra vires*, illegal and wrongful. Shri Jhilu Tiwari was not supposed to carry out illegal and wrongful order of the management and in not removing the shed does not come under the purview of the standing orders. According to the Union Shri Jhilu Tiwari was wrongfully and illegally suspended and that he is entitled to get full wages for the suspension period.

9. On behalf of the management 3 witnesses were examined viz., MW-1 Sri T. K. Prasad, who conducted the departmental enquiry against the concerned workman Sri Jhilu Tiwari. MW-2 is Kari Ram Roy, Land Assistant in the Tatas and MW-3 is Sri B. D. Manjhi, the Senior Surveyor of the Tatas. The management has also produced 17 items of documents which are marked as Ext. M-1 to M-17. On behalf of the Union 2 witnesses were examined viz. WW-1 Sri Jhilu Tiwari, the concerned workman and WW-2 Sri Kalicharan Mahato. The Union also filed 4 items of documents which are marked as Ext. W-1 to W-4.

10. The point for consideration is whether the suspension of Shri Jhilu Tiwari for 10 days by the management was justified?

11. The admitted fact is that the concerned workman Shri Jhilu Tiwari made some construction on a piece of land. The controversy is regarding the title of the land on which this construction was made. According to the management this construction is on plot No. 1940, which stands in the record of right in the names of the Tatas and therefore, according to the management this construction by the concerned workman Shri Jhilu Tiwari was unauthorised being on Company's land. On the other hand the contention of the concerned workman Shri Jhilu Tiwari is that this construction is on plot No. 1939 which does not belong to the Tatas. Plot No. 1939 is recorded in the record of rights in the name of Mahatos and that the concerned workman has acquired a portion of plot No. 1939 from the Mahatos by virtue of oral gifts and constructed the cattle shed on this portion of plot No. 1939 about 30 years ago. According to the concerned workman Shri Jhilu Tiwari this construction on plot No. 1939 was done about 30 years ago and since then the concerned workman Shri Jhilu Tiwari is coming in peaceful possession over the same. It is also admitted that the plot No. 1940 stands in the records of rights in the name of the Tatas (vide Ext. M-14). It appears that the Tatas brought a suit against Shri Jhilu Tiwari in the year 1956 being title suit No. 375 of 1956 for ejecting Shri Jhilu Tiwari who had encroached upon the Company's land being plot No. 1750/1757 measuring 450 sq. feet on which he had wrongfully constructed a hut. This suit was ultimately withdrawn on the 7th October, 1958.

12. On 19th December, 1960 Shri Jhilu Tiwari was asked by the management to demolish the unauthorised constructed hut which was constructed by him on Company's land without permission (vide Ext. M-3). On 30th December, 1960 the concerned workman Shri Jhilu Tiwari replied that the said construction of hut was not on Company's land but was on the land of Kurmise. It appears that the management did not proceed further and the matter was dropped. This matter was again agitated by the Company in the year 1966.

13. On 16th May, 1966 the concerned workman Shri Jhilu Tiwari was asked to remove the unauthorised construction of the two huts which were made on the Company's land. In his reply dated 26th May, 1966 (Ext. M-2) the concerned workman asserted that the aforesaid construction was not on the Company's land. The Company again served a notice, dated 12th/14th June, 1966, on the concerned workman Shri Jhilu Tiwari for removal of the unauthorised construction (vide Ext. M-3). In his reply dated the 17th June, 1966 Shri Jhilu Tiwari again asserted that the construction was not on the Company's land and that he was coming in peaceful possession for about 25 years. The Company finally informed the concerned workman Shri Jhilu Tiwari by letter, dated 23rd June, 1966 (vide Ext. M-5) that the construction made by the concerned workman Jhilu Tiwari was on the Company's land and was unauthorised and illegal and also issued a charge-sheet dated 2nd/4th July, 1966 to the concerned workman alleging that the concerned workman had not removed the unauthorised construction inspite of the instruction and therefore, he is charged for misconduct under clause 19(1) of the Company's Standing Order.

14. The first date of enquiry was fixed on 13th July, 1966 (vide Ext. M-7) but the first said date was not convenient for Shri Jhilu Tiwari and therefore, the management fixed on 18th July, 1966 for departmental enquiry (vide Ext. M-8). The departmental enquiry was conducted by Shri T. K. Prasad, the Welfare Officer (P) and his report is Ext. M-9. Even before the departmental enquiry the case of the concerned workman was that the construction stood on plot No. 1939 which was given to him by the Mahato by way of gift. The Enquiring Officer held that Shri Jhilu Tiwari had made unauthorised construction on plot No. 1940 which is Company's land and thus he was found guilty of the charge and accordingly he was suspended for 10 days with effect from 4th August, 1966 (vide Ext. M-10).

15. Clause 19(1) of the Standing Order runs as follows:

"Any employee may be suspended, fined or dismissed without notice or any compensation in lieu of notice if he is found to be guilty of misconduct, provided that suspension without pay, whether as a punishment or pending an enquiry, shall not exceed ten days. The following shall denote misconduct:

- (1) Wilful insubordination or disobedience, whether alone or in combination with another or others, of any lawful or reasonable order of a superior."

16. The first point for determination in this proceeding will be whether the construction by the concerned workman Shri Jhilu Tiwari was on plot No. 1940 belonging to the Company or on the land of the concerned workman or on a portion of plot No. 1939 which is claimed by the concerned workman as his own?

17. The dispute is of purely civil nature and the management had also filed a suit for ejecting the concerned workman. The Civil Court is the proper forum to decide this issue and give appropriate relief. This Tribunal cannot enter into this question of title and possession. The evidence adduced in this case on behalf of the management is not of conclusive nature. MW-1 Shri T. K. Prasad who conducted the departmental enquiry did not visit the disputed land and he did not make any physical verification personally or through any agency in order to determine whether the aforesaid construction was on the land of the Tatas. MW-2 Shri Kaliram Roy, Land Assistant also stated in his evidence that he did not get prepared the map of the aforesaid construction by the Surveyor. There is no evidence that the Surveyor also made measurement in presence of the concerned workman. Shri B. D. Manjhi has also stated in his evidence that he did not make any map of the unauthorised construction.

18. The concerned workman Shri Jhilu Tiwari was charged under clause 19(1) of the Standing Order on the allegation that the wilful insubordination or disobedience, whether alone or in combination with another or others, of any lawful or reasonable order of a superior. Refusal to remove the aforesaid construction cannot be considered as a disobedience of lawful or reasonable order of a superior. Shri Jhilu Tiwari, the concerned workman refused to remove the construction on the plea of colour of title. He claimed ownership over the construction made by him. According to him the construction stood on his own land and he was in possession over the same for the last 25 years. His refusal to remove the construction does not come under the purview of 19(1) of the Standing Orders.

19. In this view of the case I hold that the suspension of Shri Jhilu Tiwari, Chaprasi for 10 days from 4th August, 1966 to 13th August, 1966 by the management was not legal and justified and the concerned workman Shri Jhilu Tiwari is entitled to full wages for the suspension period, i.e., from 4th August, 1966 to 13th August, 1966.

20. This is my award. It may be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHIDANAND SINHA,
Presiding Officer.

[No. 2/176/66-LRII.]

S.O. 4134.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Sripur Seam Incline Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari, District Burdwan and their workmen which was received by the Central Government on the 19th September, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 49 OF 1969

PARTIES:

Employers in relation to the management of Sripur Seam Incline Colliery,

AND

Their workmen.

PRESENT:

Shri B. N. Banerjee—*Presiding Officer.*

APPEARANCES:

On behalf of Employers—Shri Durgapada Roy, Advocate.

On behalf of Workmen—Shri Tarun Kumar Sanyal, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/13/69-LRII, dated June 6, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, referred the following industrial dispute between the employers in relation to the management of Sripur Seam Incline Colliery of Messrs Lodna Colliery Company (1920) Limited and their workmen, to this Tribunal, for adjudication, namely:

"Whether the retirement of Sri Kamal Mitra, Loading Clerk from the 15th December, 1968, by the management of Sripur Seam Incline Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari District Burdwan, is justified? If not, to what relief is the workman entitled?"

2. Both the parties filed their respective written statement. At the time of hearing, however, parties settled the dispute amicably and filed a petition of compromise, in token thereof. In my opinion, the settlement is lawful and fully and completely settles the dispute. I, therefore, pass an award in terms of the settlement. Let the petition of settlement form part of this award.

(Sd.) B. N. BANERJEE,
Presiding Officer.

Dated, September 15, 1969.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE NO. 49 OF 1969

PARTIES:

Employers in relation to Sripur, Seam Incline Colliery of M/s. Lodna Colliery Co. Ltd.,

AND

Their workmen, represented by Sri Sunil Mazumdar General Secretary, Nigha Colliery Mazdoor Union.

The humble petition of the company and Sri Kamal Mitra, workman, represented by Sri Sunil Mazumdar, General Secretary, Nigha Colliery Mazdoor Union, state that without prejudice to the company's contention and of the workman that the retiring age of the company is 60 years, it is agreed by way of compromise:

- (i) that the company will pay Rs. 5000/- (Rupees Five thousand) only in all as *ex-gratia* payment and Sri K. K. Mitra accepts the order of retirement as per company's letter dated 13th November 1968.
- (ii) Sri K. K. Mitra, workman, will apply to the Provident Fund Commissioner for payment of his provident fund dues.
- (iii) The amount of Rs. 5000/- shall be paid by the company in presence of Assistant Labour Commissioner (Central), Asansol within October 15, 1969.
- (iv) the company shall, if already not paid, pay other dues which the workman is entitled to get under the law.

It is, therefore, humbly prayed that an award be passed in terms of the above compromise and for this parties shall ever pray.

Dated, September 15, 1969.

(Sd.) Illegible,
Advocate,
for the Company.

(Sd.) TARUN KUMAR SANYAL,
Advocate,
for the Workman.
(Sd.) SUNIL MAZUMDAR.

(Sd.) KAMAL MITRA.

[No. 6/13/69-LRII.]

S.O. 4135.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Sripur Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari, District Burdwan and their workmen, which was received by the Central Government on the 19th September, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 48 of 1969

PARTIES:

Employers in relation to the management of Sripur Colliery of Messrs Lodna Colliery Company (1920) Limited,

AND

Their workmen.

PRESENT:

Shri B. N. Banerjee—*Presiding Officer*.

APPEARANCES:

On behalf of Employers—Shri Durgapada Roy, Advocate.

On behalf of Workmen—Shri P. K. Bose, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/11/69-LRII, dated May 28, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to the management of Sripur Colliery of Messrs Lodna Colliery Company (1920) Limited and their workmen, to this Tribunal, for adjudication, namely:

"Whether the termination of services of Shri Kiriti Bhusan Banerjee, Surveyor, by the management of Sripur Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari, District Burdwan with effect from the 12th August, 1968, was justified? If not, to what relief is the workman entitled?"

2. Both the parties filed their respective written statement. At the time of the hearing, however, parties settled the dispute amicably and filed a petition of compromise, in token thereof. In my opinion, the settlement is lawful and fully and completely settles the dispute. I, therefore, pass an award in terms of the petition of settlement. Let the petition of settlement form part of this award.

Dated, September 15, 1969.

(Sd.) B. N. BANERJEE,
Presiding Officer.

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 48 of 1969

PARTIES:

Employers in relation to Sripur Colliery of Messrs Lodna Colliery Company (1920) Limited,

AND

Their workmen as represented by the Association of Indian Mine Surveyors in the matter of Sri Kiriti Bhusan Banerjee, Surveyor.

The humble petition of the company and Shri Kiriti Bhusan Banerjee represented by the Association of Indian Mine Surveyors, state that a compromise has been effected on the following terms and it is agreed by way of compromise that:

1. Shri Kiriti Bhusan Banerjee will get his salary from 1st August 1968 till 15th September 1969 and that he will be paid the retrenchment compensation equivalent to seventy-five (75) days of his salary in full

and final settlement and he will accept the retrenchment order from the 15th of September, 1969.

2. The above payments will be made to Sri Kiriti Bhushan Banerjee by the company by 15th October, 1969.
3. The relationship between the company and Sri Kiriti Bhushan Banerjee is fully determined in full and final settlement as per terms of this settlement.

It is therefore submitted that an award may be made in terms of the above compromise and for this the parties shall every pray.

Dated, September 15, 1969.

(Sd.) DURGAPADA ROY,
Advocate,
for the Company.

(Sd.) KIRITI BHUSHAN BANERJEE.

(Sd.) P. K. BOSE,
Advocate,
for Assn. of Indian
Mine Surveyors.
[No. 6/11/69-LRII.]

S.O. 4136.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the Malkera Colliery of Messrs Tata Iron & Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad and their workmen, which was received by the Central Government on the 16th September, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 3) AT DHANBAD

REFERENCE No. 13 OF 1968.

PRESENT:

Shri Sachidanand Sinha M.A.M.L.—*Presiding Officer.*

PARTIES:

Employers in relation to the Malkera Colliery

Vs.

Their workmen

APPEARANCES:

For employers:—Sri L. H. Parvatiyar, Legal Asstt.

For workmen:—Sri B. N. Sharma, President, Congress Mozdoor Sangh.

STATE: Bihar

INDUSTRY: Coal

Dhanbad, the 29th August 1969

AWARD

1. The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Malkera Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad and their workmen, by its order No. 2/116/65-LRII dated the 5th of January, 1966 referred to the Central Government Industrial Tribunal, Dhanbad under section 10(1) (d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect to the matters specified in the schedule annexed thereto. The Schedule is extracted below:—

SCHEDULE

“(1) Whether the management of the Malkera colliery of Messrs Tata Iron and Steel Company Limited had stopped Shri Hital Mahato (T. No. 63731) from work as an underground trammer with effect from the 24th July, 1965 as a measure of victimization?

(2) If so, to what relief is the workman entitled?”

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as reference No. 6 of 1966 on its file. While it was pending there the dispute was transferred by the Central Government, by its order No. 8/25/67-LRII dated the 8th of May, 1967 to the Central Government Industrial Tribunal, No. 2, Dhanbad where it was registered as reference No. 97 of 1967. The Central Government, by its subsequent order No. 8/71/68-LRII dated 13th of August, 1968 transferred the dispute to this Tribunal and here it has been renumbered as reference No. 13 of 1968.

3. The President, Congress Mazdoor Sangh filed written statement on behalf of the workmen on 8th August, 1966. The Union also filed rejoinder on 10th July, 1968. Their case is that the concerned workman was working as an underground Trolleyman in Tata's Malketa colliery for a fairly long period of about 20 years. On 24th July, 1965 he was in night shift and when he went to the attendance cabin for recording his attendance and performing his duties he was not allowed to go underground and perform his duties. Since 25th July, 1965 was a Sunday and Weekly rest day, the colliery was closed. On 26th July, 1965 he verbally reported to the manager of the colliery about his illegal stoppage of work but the manager did not take any action and thereafter he submitted an application in writing by registered post. When the Manager of the colliery did not redress his grievance he approached the Chief Mining Engineer and represented to him by his registered application dated 5th August, 1965. The Manager by his letter dated 6th August, 1965 informed him that since he was junior-most amongst all the permanent underground Trammers so his work was stopped. After receipt of the above letter of the Manager, the workman again represented to the Chief Mining Engineer by his another application dated 9th August, 1965 but the Chief Mining Engineer neither replied to his letter nor allowed him to perform his duties. The workman challenged the contention of the Manager, Malketa Colliery that he was junior most amongst all the underground Trammers of the colliery which is the basis of his illegal stoppage of work and he also submitted a list of junior trammers. During the conciliation proceedings the case of the Management was that since Sri Hital Mahato was a relieving Trammer, he was asked to work on surface as a permanent surface trammer in consultation with the recognised Union. According to the Union Sri Hital Mahato was not a relieving underground Trammer and he could not be lawfully transferred as a surface trammer. Sri Hital Mahato had never worked as a surface trammer during his long career in the colliery. By illegally and arbitrarily transferring him as a surface trammer the management has sought to deprive him of a part of his wages as he would not then be entitled to claim underground allowance. Thus, by forcing him to work as a surface trammer, the management has sought to prejudicially alter his conditions of service by reducing his total wages and that it was in violation of clause 18 of the Standing Orders which provides that no workman can be transferred from one place to another if such transfer causes any prejudice to his wages. According to the Union the forced transfer of Sri Hital Mahato from underground to surface was also illegal as it was effected in violation of the provisions of section 9A of the Act. His place of work as a trammer was inside the mine as he had all along been a permanent underground trammer and had always been willing to work as such. It is also alleged by the Union that Sri Hital Mahato never became surplus to the requirements of the employers and that the management had no authority under the Standing Orders whereby it can, at its sweetwill, transform the status of a workman from that of a permanent workman to that of relieving workman. Sri Hital Mahato, the concerned workman had all along been working continuously as a permanent underground trammer.

4. According to the Union Sri Hital Mahato is an active member of the Union and the management is greatly vindictive and biased against him and has victimised him in this manner. The ground of stoppage of work is illegal, unjustified and a calculated act of victimisation and unfair labour practice and that Sri Hital Mahato has been victimised on account of his membership of the Sangh.

5. The management filed the written statement on 28th March, 1968 and their rejoinder on 10th May, 1968. According to the management the present reference arises out of an individual dispute and as the same is neither taken up by a substantial number of workmen nor their Union and as such it is out side the scope of the Industrial Disputes Act. It is further alleged that the employers are not aware if Sri Hital Mahato was a member of any Union on or before 24th July, 1965.

6. The case of the management is that Sri Hital Mahato was one of the permanent relieving underground trammers at the relevant time and that like Sri Hital Mahato there were a number of underground trammers who though

permanent were engaged on relieving jobs only. Two permanent posts of underground trammers and 10 permanent posts of surface trammers had fallen vacant and in consultation with the Asstt. Secretary of the Colliery Mazdoor Sangh, which is the recognised union, it was decided that the above posts should be filled up by the relieving underground trammers on the basis of seniority and accordingly two senior most relieving underground trammers were put on the permanent underground trammer's vacancies. The next 10 senior most relieving underground trammers were put on permanent trimming vacancies on the surface and Sri Hital Mahato was one of them. The remaining 9 relieving underground trammers are working against the permanent vacancies on the surface, and that only Hital Mahato without any justification has refused to join on the surface and is preferring to remain absent from 24th July, 1965 from the allotted work. According to the management the employers did not stop Sri Hital Mahato from his allotted place of work as a surface trammer from 24th July, 1965 and the question of victimisation does not arise and that the concerned workman is not entitled to any relief.

6. It was also alleged on behalf of the management in their rejoinder that Sri Hital Mahato was one of the junior most amongst the 12 (twelve) underground trammers who were on relieving jobs, two of whom, who were senior to Hital Mahato were absorbed in permanent post of underground trammers. There were two senior most trammers in the relieving pool who were absorbed in permanent post underground. According to the management after the discussion with the recognised union on 3rd March, 1963 and 24th January, 1964 it decided to fill up the vacancies of trammers from amongst those who were in the relieving pool. Since there were two permanent vacancies of trammers in underground and 10 on the surface, it was agreed at the request of the recognised union that the two senior most out of the relieving pool will be absorbed underground and other 10 junior to them will be absorbed on surface. According to the agreement the two senior most trammers joined underground and 9 joined on surface except Sri Hital Mahato who refused to join on surface under some wrong advice.

7. On behalf of the workman two witnesses were examined viz. WW-1 Sri Hital Mahato, the concerned workman and WW-2 Sri Ramanand Singh, Secretary, Malkera Branch, who has proved the membership register Ext. W-11 and the counter-foil receipt book Ext. W-12. 14 items of documents were exhibited on behalf of the workman and they are marked Ext. W-1 to W-14. On behalf of the management two witnesses were examined viz. MW-1 Sri I. D. Dubey, who is the manager of the Malkera Colliery since October, 1964 and MW-2 Sri T. K. Prasad, who was then posted at Malkera Colliery as Welfare Officer (P) and 9 items of documents were exhibited on behalf of the management and they are marked Ext. M-1 to M-9.

8. A point was raised by the management in the written statement that the present dispute is an individual dispute inasmuch as the concerned workman Sri Hital Mahato was not a member of any union on or before the 24th of July, 1965 i.e. before the day of reference and that the present dispute is not taken up by any union. The Union has filed Ext. W-11 the membership register showing that the concerned workman Sri Hital Mahato was a member from 7th December, 1964 of the Congress Mazdoor Sangh. The Union has also filed the counter-foil receipt book Ext. W-12 showing the payment of subscription for the year 1964-65 by the concerned workman Sri Hital Mahato. In this connection the union has also examined WW-2 Sri Ramanand Singh, the Secretary of the Congress Mazdoor Sangh, Malkera Branch to prove that the concerned workman Sri Hital Mahato was a member of that union. At the time of hearing this point was also not seriously pressed by the management. I therefore, hold that the present dispute is an industrial dispute.

9. The point taken by the Union is that the concerned workman Sri Hital Mahato was a permanent underground trammer and there he could not be lawfully transferred as surface trammer. His transfer as surface trammer was therefore, illegal as it was in violation of clause 18 of the Standing Order and is also in violation of the provision of section 9A of the Act. In this connection may attention was drawn to Ext. M-4, the service record of Sri Hital Mahato showing that Sri Hital Mahato was appointed on 1st October, 1949 as underground trolleyman. The case of the union is that on 24th July, 1965 Sri Hital Mahato, the concerned workman was in night shift and that when he went to register his attendance the attendance clerk of the shift Mr. Zabar refused to register his attendance and thus prevented him to perform his duties. He therefore, made representation to the manager not to prevent from performing his duties as underground trolleyman. He also represented this fact to the Chief Mining Engineer, ultimately he was told by the Manager by letter dated 4/6.8.65 (Ext. W-3) that he was posted to work

on the surface as he was the junior amongst all the permanent underground trammers. This point was controverted by the concerned workman and the concern workman contended that there was no justification for making prejudicial change in the condition of his service.

10. The first point for consideration in this reference is whether the management stopped the concerned workman Sri Hital Mahato from working as an underground trammer with effect from the 24th of July, 1965?

11. The jurisdiction of the industrial tribunal in dealing with industrial disputes referred to under section 10 is limited by section 10(4) to the points specifically mentioned in the reference and the matters incidental thereto. The award must be confined strictly to the terms of the reference and must never extend beyond those terms. In construing the terms of the reference and in determining the scope and nature of the points referred to the Tribunal for adjudication, the Tribunal must, in the absence of any other material on the record, look at the order of reference itself. Therefore, in the instant case we have to see whether the management stopped the concerned workman Sri Hital Mahato from working as an underground trammer with effect from the 24th of July, 1965.

12. In order to appreciate the merits of the case it is better to state the law in order to understand the scope and ambit of the reference. In this connection I would like to cite the Supreme Court case of Delhi Cloth and General Mills Co. Ltd. V. workman reported in 1967 (1) L.D.J., page 423. In that case the terms of reference in addition to two issues relating to bonus, covered:

"3. Whether the strike at the Delhi Cloth Mills and the lock-out declared by the Management on the 24th February, 1966 are justified and legal and whether the workmen are entitled to wages for the period of the lock-out?

4. Whether the sit-down strike at the Swatantra Bharat Mills from 23rd February, 1966 is justified and legal and whether the workmen are entitled to wages during the period of the strike?"

All the four Unions on behalf of the workmen in the two mills contended that there was no strike at the Delhi Cloth Mills. Two of them contended that the strike at Swatantra Bharat Mills was in sympathy with the workmen of the Delhi Cloth Mills, while the other two Unions contended that there was a lock-out at Swatantra.

13. The Tribunal ordered that as the strike covered by issue No. 3 and the sit-down strike covered by issue No. 4 were thus disputed, it had to decide about the existence of these strikes. It allowed the parties to adduce evidence on those two issues.

14. The management obtained special leave of the Supreme Court, after unsuccessfully challenging the Tribunal's order in the Punjab High Court, on the ground that the Tribunal could not extend the ambit of its jurisdiction.

15. It was held that on the order of reference, it was not competent to the workmen to contend before the Tribunal that there was no strike at all; equally, it was not open to the management to argue that there was no lock-out declared by it. The parties would be allowed by their respective statement of cases to place before the Tribunal such facts and contentions as would explain their conduct or their stand, but they could not be allowed to argue that the order of reference was wrongly worded and that the very basis of the order of reference was open to challenge. It is open to the parties to show that the dispute referred was not an industrial dispute at all and it is certainly open to them to bring out before the Tribunal the ramifications of the dispute. But they cannot be allowed to challenge the very basis of the issue set forth in the order of reference.

16. In this case the order of reference was based on the report of the Conciliation Officer and it was certainly open to the Management to show that the dispute which had been referred was not an industrial dispute at all so as to attract jurisdiction under the Industrial Disputes Act. But the parties cannot be allowed to go a stage further and contend that the foundation of the dispute mentioned in the order of reference was non-existent and that the true dispute was something else. Under section 10(4) of the Act it is not competent to the Tribunal to entertain such a question.

17. In the instant case I find that the management's cases that the underground tramming system was re-organised in Choitudih Section and on the 20th of July, 1965 a formal agreement was drawn up between the management and the

Colliery Mazdoor Sangh and according to that agreement the concerned workman Hital Mahato was allowed to work as Surface Trammer (*vide* Ext. M-9). Accordingly when the concerned workman went in the night shift of 24th July, 1965 the attendance clerk did not get his attendance marked for going underground. This point was not challenged by the management. On the other hand the management has justified the action on the ground that since he was allowed duty on surface by virtue of a mutual agreement between the management and the recognised union on 24th July, 1965 (Ext. M-9) he was not allowed to work underground in the night of 24th July, 1965.

18. Therefore, on this point my finding is that the Management had stopped Sri Hital Mahato from work as an underground trammer with effect from the 24th July, 1965.

19. The second point for consideration is whether the management had stopped the concerned workman Sri Hital Mahato to work as an underground trammer as a measure of victimisation?

20. Victimization means one of the two things. The first is, whether the workman concerned is innocent and yet he is being punished because he has in some way displeased the employer, for example, by being an active member of a union of workmen who were acting prejudicially to the employer's interest. It is not open to the employer to punish or dismiss his employee solely or principally for the reasons that he had joined a trade union. Where, therefore, the circumstances that an employee had joined a trade union had at least partially weighed with the employer, it would be an act of victimisation, and the punishment inflicted on the workman on this consideration would be unjustified.

21. Victimization has also got an extended meaning. Victimization should be sufficiently comprehensive to embrace the cases of punishment which the employer inflicts on the employee, whether for his trade union activities or for other reasons where such penalty is given not in a straightforward manner but in a sinister way, for instance, where the employer retrenches an employee ostensibly as an economic measure, but his real motive is something else. He wants to get rid of the particular employee because he has incurred his displeasure either for his trade union activities or for other reasons. That would be a case of victimization. In this connection I may cite Bengal Bhatdee Coal Co's case where the Supreme Court has observed as follows:—

“But the fact that the relations between an employer and the union were not happy and the workmen concerned were office-bearers or active workers of the union would by itself be no evidence to prove victimisation, for it that were so, it would mean that the office-bearers and active workers of a union with which the employer is not on good terms would have a *carte blanche* to commit any misconduct and get away with it on the ground that relations between the employers and the union were not happy. With this background we have to examine whether the stoppage of work by the management was a measure of victimisation.”

22. According to the union the concerned workman Sri Hital Mahato was a permanent underground trolleyman and that on 24th July, 1965 in the second shift when he went to register his attendance the attendance clerk refused to register his attendance and therefore, he was prevented from performing his duties. According to the management though Sri Hital Mahato was a permanent trammer but after the re-organisation of Choltudih section he was declared surplus.

23. There was an agreement between the Congress Mazdoor Sangh recognised union and the management on 20th July, 1965. According to the agreement Sri Gopal Mahato and Sri Ram Chander Bhuian, who were appointed in April, 1949 and were senior most underground trolleyman were absorbed as permanent underground trolleyman. Sri Hital Mahato who was appointed in October, 1949 was placed 7th in the seniority list and he was absorbed as permanent trolleyman on the surface. According to the management their appointment was strictly according to the seniority and the concerned workman Sri Hital Mahato was not discriminated against.

24. Therefore, my finding is that the concerned workman Sri Hital Mahato was not stopped from work as an underground trammer as a measure of victimisation.

25. The last point for our consideration is what relief the workman is entitled?

26. According to the management the underground tramming system was re-organised and as a result of the re-organisation some of the trammers were rendered surplus. By virtue of an agreement arrived at by the management and the recognised union Sri Hital Mahato was allotted work on surface as a surface trammer. The concerned workman Sri Hital Mahato by written application dated 26 July, 1965 declined to work on the surface.

27. It is undoubtedly true that it is for the management to decide the strength of its labour force, for the number of workmen required to carry out efficiently the work involved in the industrial undertaking of any employer must always be left in its discretion and so occasion may arise when the number of employees may exceed the reasonable and legitimate needs of the undertakings. In such a case, if any workman becomes surplus, it would be open to the management to retrench them.

28. Workmen may become surplus on the ground of rationalization or on the ground of economy reasonably and bona fide adopted by the management, or of other industrial or trade reasons. In all these cases, the management would be justified in effecting retrenchment in its labour force and this right of the management to effect retrenchment cannot normally be questioned.

29. Therefore, when the concerned workman declined to work as surface trammer the only remedy left to the management was to retrench him and the concerned workman would be entitled to retrenchment benefits according to law.

30. I therefore, hold that the concerned workman Sri Hital Mahato is entitled to retrenchment benefits according to law, as if he was retrenched by the management on 26th July, 1965.

31. This is my award. It may be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

SACHIDANAND SINHA,
Presiding Officer.
[No. 2/116/65-LRII.]

New Delhi, the 29th September 1969

S.O. 4137.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri H. G. Bhawe, Arbitrator in the industrial dispute between the employers in relation to the management of Damoda Colliery of Messrs Damodar Coal Company, Limited, Post Office Raniganj District Burdwan and their workmen, which was received by the Central Government on the 18th September, 1969.

ARBITRATION AWARD UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

BEFORE SHRI H. G. BHAWE, ASSISTANT LABOUR COMMISSIONER (CENTRAL), CALCUTTA-II AND ARBITRATOR

PRESENT:

Shri H. G. Bhawe, Arbitrator.

PARTIES:

Employers in relation to Damoda Colliery of M/s. Damodar Coal Co. (P) Ltd., P.O. Raniganj, Distt. Burdwan.

AND

Their workman, represented by the Colliery Mazdoor Sabha (A.I.T.U.C.), Ltd., P.O. Raniganj, Distt. Burdwan.

APPEARANCES:

For employers—Shri C. L. Khowala, Agent, M/s. Damodar Coal Co. (P) Ltd., P.O. Raniganj, Distt. Burdwan.

For workmen—Shri Robin Chatterjee, Vice President, Colliery Mazdoor Sabha, (AITUC), P.O. Raniganj, Distt. Burdwan.

INDUSTRY: Coal Mines.

STATE: West Bengal.

No. Cat-II/ARB/ID/4/69 Camp: Asansol, the 12th September, 1969

AWARD

The Central Government having received on the 2nd July, 1969, the arbitration agreement dated the 24th May, 1969 between the employers in relation to Damoda

Colliery of M/s. Damodar Coal Co. (P) Ltd., P. O. Raniganj, Distt. Burdwan (hereinafter referred to as the management) and their workmen represented by the Colliery Mazdoor Sabha (A.I.T.U.C.), P.O. Raniganj, Distt. Burdwan (hereinafter referred to as the Sabha) in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referring the industrial dispute between them, the specific matters in dispute being as detailed below, to my arbitration and the Central Government being of the opinion that the industrial dispute referred to above exists between the said management and their workmen, ordered publication of the said arbitration agreement in the Gazette of India, Part II, Section 3, sub-section (ii) under its order No. 6/37/69-LR.II dated 16th July, 1969:

Specific Matters in Dispute

"Whether the management of Damoda Colliery, P.O. Raniganj, Distt. Burdwan was justified in suspending Shri Nanak Mahato, Loader (Underground) from 28th August, 1968 to 9th September, 1968 without wages and if not to what relief he is entitled?"

2. The Manager, Damoda Colliery of M/s. Damodar Coal Co. (P) Ltd., submitted a written statement on behalf of the management on 26th August, 1969 which was received by me on 2nd September, 1969. The representative of the Sabha, however, did not submit any written statement. According to the said arbitration agreement I was to give my arbitration award within 60 days from 24th May, 1969. However, on 11th August, 1969 the parties entered into a further mutual agreement wherein they agreed that I could give my award latest by 30th October, 1969. However, the matter came up for hearing on 12th September, 1969 when Shri C. L. Khowala, Agent, Damoda Colliery was present on behalf of the management and Shri Robin Chatterjee, Vice-President, Colliery Mazdoor Sabha (A.I.T.U.C.), Raniganj was present on behalf of the workman. On 12th September, 1969 the parties filed a joint petition of compromise dated 12th September, 1969 stating therein that the instant industrial dispute has been amicably settled between the parties on the terms detailed in the compromise petition dated 12th September, 1969 and that I might accept the terms of settlement incorporated therein and pass my award accordingly. The terms of the settlement incorporated in the compromise petition dated 12th September, 1969 were duly verified by me and brought on record. The terms of settlement incorporated in the compromise petition dated 12th September, 1969 appear to be fair, reasonable and in the interest of the workman concerned and as such I accept them. Accordingly, I make my arbitration award in terms of the compromise petition dated 12th September, 1969 and submit it to the Central Government under Section 10A of the Industrial Disputes Act, 1947. The joint petition of compromise dated 12th September, 1969 is annexed hereto and made part of the Award.

(Sd.) H. G. BHAVE,

Assistant Labour Commissioner (C)

Calcutta-II.

and Arbitrator.

Camp: Asansol the 12th September, 1969.

BEFORE THE ARBITRATOR, SHRI H. G. BHAVE, ASSISTANT LABOUR COMMISSIONER (CENTRAL), CALCUTTA.

In the matter of Central Government, Department of Labour and Employment Order No. 6/37/69-LR.II, dated 16th July, 1969.

AND

In the matter of an Arbitration under the Industrial Disputes Act, 1947 over suspension of Shri Nanak Mahato, Loader (Underground) Damoda Colliery from 28th August, 1968 to 9th September, 1968 without wages.

BETWEEN

Messrs. Damodar Coal Co. (P) Ltd., P. O. Raniganj, District. Burdwan.

AND

The workman represented by Colliery Mazdoor Sabha (AITUC), P.O. Raniganj, District Burdwan.

The parties aforesaid respectfully beg to submit as under:

That the parties have amicably settled the dispute between them on the following terms:—

- (a) The workman Shri Nanak Mahato expresses regret for the incident of 28th August, 1968 over which he was charge-sheeted and subsequently after domestic enquiry awarded punishment of suspension for ten days without wages.
- (b) The employer Messrs Damodar Coal Co. (P) Ltd., as a special case and in view of (a) above agree to pay ten days wages for the period from 28th August, 1968 to 9th September, 1968 to the workman.
- (c) The payment shall be made within 7 days from 12th September, 1969.

It is therefore prayed that the learned arbitrator may be pleased to accept this settlement and given an award incorporating the same.

Representative of the Union:

SHRI ROBIN CHATTERJEE,
Vice-President,
Colliery Mazdoor Sabha,
P.O. Raniganj, Burdwan.

ASANSOL.

Representative of the Company:

1. SHRI C. L. KHOWALA, Agent.
2. SHRI L. N. MONDAL,
Representative of Messrs Damodar
Coal Co., (P) Ltd.,
P.O. Raniganj.

Dated: September 12, 1969.

[No. 6/37/69-LRII.]

S.O. 4138.—Whereas an industrial dispute exists between the employers in relation to the management of Moira Colliery of Messrs Western Bengal Coal-Fields Limited, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas the said employers and the workmen have by a written statement, in pursuance of the provisions of sub-section (1) of the section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the person specified therein, and a copy of the said agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provision of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement which was received by it on the 11th September, 1969.

FORM C
(See Rule 7)

(Under Section 10-A of the I.D. Act 1947)

Name of the Parties—

Representing Employer.—(1) Shri R. G. Bidasaria, Manager, Moira Colliery of M/s. Western Bengal Coal-Fields Limited, P.O. Ukhra, Distt. Burdwan.

Representing Workmen.—(2) Shri B. N. Tewary, General Secretary Colliery Mazdoor Sabha, G.T. Road. P.O. Asansol, Dist., Burdwan.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri K. Sharma, Regional Labour Commissioner (C) Asansol, Dist., Burdwan.

(i) Specific matter in dispute:

"Whether the management of Moira Colliery of M/s. Western Bengal Coal-Fields Limited, P. O. Ukhra, Dist., Burdwan locked out the workers of the 1st shift of 12th August, 1969, and if so to what relief they are entitled?"

(ii) Details of the parties to the dispute indicating the names and addresses of the establishment or undertaking involved:—

Employers in relation to Moira Colliery of M/s. Western Bengal Coal-Fields Limited, P.O. Ukhra, Distt.—Burdwan.

The workmen represented through the: Colliery Mazdoor Sabha (AITUC)
P.O. Asansol, Dist—Burdwan.

(iii) Colliery Mazdoor Sabha, G. T. Road, P.O. Asansol (Burdwan).

(iv) Total number of workmen engaged in the undertaking affected:
1650.

(v) Estimated number of workmen affected or likely to be effected by the
dispute: 482.

The decision of the arbitrator shall be binding on us.

The arbitrator shall make his award within the period of 60 (sixty) days or
within such further time as is extended by mutual agreement between us in
writing. In case the Award is not made within the period mentioned above, the
reference to arbitration shall automatically be cancelled and we shall be free to
negotiate for fresh arbitration.

Signature of the parties:

R. G. BIDASARIA,
Manager, Moira Colliery,
of M/s. Western Bengal Coal-Field
Ltd., P.O. Ukhra (Burdwan)

B. N. TEWARY,
General Secretary Colliery Mazdoor,
Sabha, G. T. Road, P.O. Asansol.

Witnesses (1) Sd/- Illegible.

(2) Sd/- Illegible.

S. KRISHNA,

Asstt., Labour Commissioner (C).

[No. 6/70/69-LRII.]

New Delhi, the 3rd October 1969

S.O. 4139.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14
of 1947), the Central Government hereby publishes the following award of the
Central Government Industrial Tribunal, (No. 3) Dhanbad, in the industrial
dispute between the employers in relation to the Selected Laikdih Colliery,
Post Office Nirshachatti District Dhanbad and their workmen, which was
received by the Central Government on the 23rd September, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 3) AT DHANBAD

REFERENCE No. 26 of 1968.

PRESENT:

Shri Sachidanand Sinha, M.A.M.L.—Presiding Officer.

PARTIES:

Employers in relation to the Selected Laikdih Colliery.

AND

Their workmen.

APPEARANCES:

For employers—Sarvashri S. S. Mukherjee and B. Joshi, Advocates.

For workmen—Shri N. Laik, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 17th of September, 1969

AWARD

1. The Central Government, being of opinion that an industrial dispute exists
between the employers in relations to the Selected Laikdih Colliery, Post Office
Nirshachatti, District Dhanbad, and their workmen, by its Order No. 2/44/66-LRII,
dated the 26th of May, 1966 referred under section 10(1)(d) of the Industrial Dis-
putes Act, 1947 to the Central Government Industrial Tribunal, Dhanbad for adju-
dication the dispute in respect of the matters specified in the Schedule annexed
thereto. The Schedule is extracted below:

SCHEDULE

“Whether the action of the management of the Selected Laikdih Colliery in
refusing employment to Shri Ganesh Rabidas, Trammer, with effect
from the 7th February, 1966 was justified? If not, to what relief is the
workman entitled?”

2. The Central Government industrial Tribunal, Dhanbad registered the reference as reference No. 107 of 1966 on its file. While it was pending there the Central Government by its Order No. 8/25/67-LRII, dated the 8th of May, 1967 transferred the dispute to the Central Government Industrial Tribunal No. 2, Dhanbad, where it was numbered as reference No. 155 of 1967. The Central Government by its subsequent Order No. 8/71/68-LRII, dated the 13th of August, 1968, transferred the dispute to this Tribunal and here it has been renumbered as reference No. 26 of 1968.

3. The employers filed the written statement on 13th January, 1969. Their case is that the concerned workman himself submitted resignation letter on the 5th of February, 1966 and the management accepted his resignation with effect from the 7th of February, 1966 and that the management communicated its decision to the concerned workman under its letter dated the 7th February, 1966. The management denies that they refused employment to Shri Ganesh Rabidas, Trammer with effect from the 7th of February, 1966.

4. Sri K. K. Mukherjee, General Secretary, Nirsha Thana Coalfield and Workshop Worker's Union filed the written statement on behalf of the workmen on 5th July, 1966 and their rejoinder on 21st February, 1969. Their case is that the management stopped Sri Ganesh Rabidas from work with effect from the 8th of February 1966 without any written notice or assigning any reason. On 9th February, 1966, Shri Rabidas received a registered letter dated 7th February, 1966 from the Manager intimating that his resignation dated 5th February 1966 had been accepted and he was directed to collect his dues. On receipt of the said letter the Union approached the management as Shri Rabidas never submitted any resignation. The Manager showed one letter of resignation written by another person which was not accepted by the workman. According to the Union there was no occasion of the workman to submit the alleged letter of resignation to the employers. The employers have managed to manufacture a false and fabricated document, by obtaining L.T.I., and signature on a blank paper said to be used as an application for certain benefits to be awarded by the employer and the workman believes that the said paper has been used as a letter of resignation. It is false to say that the workman submitted his resignation on 5th February, 1966.

5. The workman is an active member of the workers Union. The union used to demand the legal benefits from the management and made complaints of less payment of wages before the Labour Enforcement Officer (C), Chirkunda. This provoked the anger of the management and since then the management tried to drive him out from his service by any means and managed to create a false document in order to show voluntary resignation. The workman had approached the management through the Union for his grievances and thereby had purchased displeasures of the management and as a result of which the management in order to terminate the services of the workman took shelter of false and fabricated documents and victimised the workman by dismissing him from service. The management illegally stopped the workman from his work from 8th February, 1966 and thus illegally terminated the service of the concerned workman.

6. The management has filed one item of document which is marked as Ext M-1. It is said to be the resignation letter dated 5th February, 1966 submitted by the concerned workman Ganesh Rabidas and has also examined two witness viz., P. N. Bose, the office clerk of the colliery who has proved the resignation letter Ext. M-1, MW-2 is Sri R. N. Jhunjhunwalla who has stated in his evidence that the management has no knowledge that the concerned workman was an active member of the Union and that the colliery was closed from 5th March, 1966 and is still closed. It is to be noted that the Union has not challenged the closure of the colliery from 5th March, 1966. On behalf of the workman one item of document has been exhibited and it is Ext. W-1. It is joint petition dated 7th February, 1966 filed by the concerned workman Ganesh Rabidas along with others before the Labour Inspector, Chirkunda. The Union has also examined one witness viz., Sri Ganesh Rabidas, the concerned workman.

7. The point for consideration is whether the action of the management was justified in refusing employment to Shri Ganesh Rabidas, Trammer with effect from the 7th of February, 1966? If so, to what relief the workman is entitled?"

8. According to the management the concerned workman Sri Ganesh Rabidas resigned on 5th February, 1966. As already stated above the colliery was closed on 5th March, 1966 and is still closed. It was submitted before me that a reference with reference to an industrial dispute relating to an industry which has become dead on account of closure shall be invalid as the provision of the Industrial Disputes Act apply only to an existing industry or live industry. The power

of the State to make a reference is to be determined with reference not to the date on which the right which is the subject matter of the dispute arise and the machinery provided under the Act would be available for working out the right which has accrued prior to dissolution of the business. If the dispute relates to a period when the industry was in existence the reference even after the closure of the industry can be validly made.

9. Justice Venkatarama Ayyar in the Supreme Court case of Pipraich Sugar Mills Ltd., said "The power of the State to make a reference is to be determined with reference to the date on which the right which is the subject matter of the dispute arises, and the machinery provided under the Act would be available for working out the right which has accrued prior to the dissolution of the business."

10. In the instant case the dispute relates to the period when the industry was in existence and therefore, the reference even after the closure of the industry can be validly made.

11. The management has filed Ext. M-1 which is said to be the resignation letter of the concerned workman Sri Ganesh Rabidas. It is proved by MW-1 Shri P. N. Bose. He has stated in his evidence that he wrote Ext. M-1 the alleged resignation letter and Sri Ganesh Rabidas put his thumb impression on that letter in his presence. No other corroborating evidence is adduced on behalf of the management on this point. MW-1 Sri P. N. Bose has stated in his evidence that I do not recollect who else was present there at the time he wrote the resignation letter. This resignation letter has been denied by WW-1 Sri Ganesh Rabidas. The concerned workman in his evidence has stated that he read upto 7th class. He has signed before the Tribunal on his deposition. He had filed a petition before the Labour Inspector, Chirkunda (Ext. W-1) and it also contains his signature. But Ext. M-1 does not contain his signature but only thumb impression. No satisfactory explanation was given as to why his signature was not taken on Ext. M-1. According to the workman he was working in this colliery for the last 10 to 12 years.

12. The evidence goes to show that he was running to the Union and the Labour Officer to redress his grievances. The question arises as to why he will submit his resignation letter voluntarily. He had filed a petition Ext. W-1 on the 7th February, 1966 before the Labour Inspector. Chirkunda alleging unfair labour practice against the management. Circumstances go to show that the management manufactured Ext. M-1 in order to get rid of the concerned workman on account of his Union activity.

13. I therefore, hold that the management refused employment to Sri Ganesh Rabidas. Trammer with effect from the 7th of February, 1966. The workman therefore, will be entitled for his back wages with effect from the 7th of February, 1966 till 5th of March, 1966. He will be deemed to be in service till 5th March, 1966, the date of the closure of the colliery. He will get retrenchment benefits according to law after the closure of the colliery.

14. This is my award. It may be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

SACHIDANAND SINHA,
Presiding Officer.
[No. 2/44/66-LR.II.]

New Delhi, the 6th October 1969

S.O. 4140.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Chora 7 and 9 Pits Colliery of Messrs Chora Colliery, Post Office Bahula, District Burdwan and their workmen, which was received by the Central Government on the 22nd September, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 42 OF 1969

PARTIES:

Employers in relation to the Chora 7 and 9 Pits Colliery of Messrs Chora Colliery,

AND

Their workmen.

PRESENT:

Shri B. N. Banerjee—*Presiding Officer*.

APPEARANCES:

On behalf of Employers—Shri N. Singh, Personnel Officer with Shri S. K. Bhattacharjee, Advocate.*On behalf of Workmen*—Shri Madhusudan Roy, General Secretary, Asansol Coal Field Workers' Union.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/16/69-LRII, dated May 1, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute between the employers in relation to Chora 7 and 9 Pits Colliery of Messrs Chora Colliery and their workmen, to this tribunal, for adjudication, namely:

"Whether the management of Chora 7 and 9 Pits Colliery was justified in charge-sheeting and dismissing the following workers with effect from the 1st February, 1969?"

1. Shri Jagpato Passi	..	Loader
2. Shri Dinanath Rajbhar	..	"
3. Shri Sarjoo Passi	..	"
4. Shri Siyaram Passi	..	"
5. Shri Dubra Passi	..	"
6. Shri Hublal Passi	..	"
7. Shri Ramdeo Passi	..	"
8. Shri Ramsarup Yadab	..	"
9. Shri Narayan Gope	..	Trammer
10. Shri Baleswar Mahato	..	"
11. Shri Narayan Thakur	..	"
12. Shri Ramsarup Keot	..	"
13. Shri Sitaram Keot	..	"
14. Shri Matadin Passi	..	"
15. Shri Dena Passi	..	Loader
16. Shri Bhagwati	..	"
17. Shri Bansilal Passi	..	"
18. Shri Gaita Passi	..	"
19. Shri Motilal Passi	..	"
20. Shri Sharju Dhari	..	"
21. Shri Rajkumar Mahato	..	"
22. Shri Jhanki Thakur	..	Trammer
23. Shri Biswanath Rajbhar	..	Loader
24. Shri Jhinguri Rajbhar	..	"
25. Shri Chinoo Passi	..	"
26. Shri Ramdeo Dusad	..	"
27. Shri Dwarika Nonia	..	"
28. Shri Jageshwar Passi	..	"
29. Shri Prabhu Keot	..	Trammer
30. Shri Bisram Passi	..	Leader
31. Shri Rambalak Keot	..	"
32. Shri Jharia Nunia	..	Trammer

If not, to what relief are the workmen entitled?"

2. Chora Colliery is well-known for its too frequent pilgrimages to this Tribunal. On February 1, 1969, the same colliery made 42 applications, under Section 33(2)(b) of the Industrial Disputes Act before this Tribunal for approval of

orders of dismissal made against 50 workmen employed in the colliery. Of the 50 workmen, there were 29 workmen whose dismissal were the subject matter for approval in the following applications:

"Misc. Appln. No.	4 of 1969	..	Siyaram Passi
do	5 of 1969	..	Chedilal Rajwar
do	6 of 1969	..	Biswanath Rajbhar
do	7 of 1969	..	Jhinguri Passi
do	8 of 1969	..	Janak Thakur
do	9 of 1969	..	Rajkumar Mahato
do	10 of 1969	..	Jagpat Passi
do	11 of 1969	..	Narayan Gope
do	13 of 1969	..	Sarju Dhari
do	14 of 1969	..	Motilal Passi
do	15 of 1969	..	Gaitlal Passi
do	16 of 1969	..	Denai Passi
do	18 of 1969	..	Bhagwati Passi
do	19 of 1969	..	Jhari Nunia
do	22 of 1969	..	Prabhu Kewat
do	23 of 1969	..	Rambalak Kewat
do	24 of 1969	..	Narayan Thakur
do	25 of 1969	..	Indradeo Rajbhar
do	27 of 1969	..	Dulari Passi
do	28 of 1969	..	Dwarika Nunia
do	29 of 1969	..	Jogeswar Passi
do	30 of 1969	..	Hublal Passi
do	31 of 1969	..	Baleswar Mahato
do	32 of 1969	..	Ramswarup Kewat
do	33 of 1969	..	Sitaram Kewat
do	34 of 1969	..	Dinanath Rajbhar
do	35 of 1969	..	Ramdeo Passi
do	36 of 1969	..	Ramdeo Dusad
do	37 of 1969	..	Chingnu Passi"

I did not grant approval to their dismissal for reasons hereinafter set out from the consolidated order, dated May 27, 1969, on the said applications:

(a) It is noteworthy that there is no workmen of the names Jhinguri Rajbhar and Changru Passi in any of the Misc. Applications. In Misc. application No. 7 the workman's name is Jhinguri Passi and in Misc. application No. 37 the workman's name is Chingnu Passi. Whether these are mistakes respectively for Jhinguri Rajbhar and Changru Passi (real workmen) do not appear. At least no attempt was made to identify them. On the other hand, witness S. C. Jha, the enquiring officer, frankly confessed that he did not remember that he had ever enquired into the charges of misconduct against Jhinguri Passi or Chingnu Passi. Thus, so far as Misc. applications No. 7 and 37 are concerned, I am compelled to hold that those two workmen were never charged with misconduct and no question of approval of any order of dismissal against them arises. Therefore, these two applications must be dismissed.

(b) One Shyamal Chakravorty, an attendance clerk of Chora Colliery, came to prove the service of notice of enquiry in respect of chargesheet, Ext. 1. According to him, the notices of enquiry were served upon the workmen through Peon Book. He did not appear to me to be a witness of truth, because the notices of enquiry which were served through the Peon Book were described in Peon Book as notices dated October 14, 1968, but the notice that was exhibited before this tribunal as the one served upon the workmen, in connection with the enquiry into chargesheet dated September 10, 1968, did bear the date September 21, 1968. This inconsistency between the copy of the notice served and the description of the document served through the Peon Book is irreconcilable. That makes the evidence of Shyamal Chakravorty untrustworthy, and disinclines me to accept the story of service of notice of enquiry relating to the chargesheet dated September 10, 1968 upon the workmen.

(c) It is difficult to hold that the notices of enquiry had been served upon the workmen as alleged. Apart from what appears from the Peon Book there is nothing to show that the workmen had been served with the notices of the date of enquiry. Before the enquiring officer, everyone of the workmen did not appear. The few who are alleged to have appeared did not affix their thumb impression or sign name in token of their attendance. Thus, there are two-fold infirmation in

the matter of service of notice of enquiry upon the workmen charged under chargesheet dated September 10, 1968. Firstly, the notice of enquiry, dated 21st September, 1968, does not appear to have been served upon them; secondly, even according to the enquiring officer's report each one of the workmen charged with misconduct did not appear before him. I am, therefore, inclined to hold that the service of notices of enquiry upon the workmen was defective and if anybody at all had appeared before the enquiring officer they had not been given sufficient or proper notice of enquiry."

For the reasons aforesaid I did not give approval the order of dismissal in the above-mentioned applications.

3. From a comparison of the names of workmen involved in the applications for approval and the names in the present reference it will appear that excepting Sarju Passi, Dubra, Ramswarup Yadav, Matadin Passi, Bansilal Passi, Motilal Passi and Bisram Passi, all other persons are common persons. It may be wholly improper for me now to justify the order of dismissal upon the same set of workmen (excepting of course the seven new persons) whose dismissal orders, on the self same charges of misconduct, I had previously refused to approve. So far as the excepted persons are concerned, it appears from certain affidavits filed before this Tribunal heretofore that Sarju Passi, Ramswarup Yadav, Matadin Passi and Bisram Passi had settled their disputes with the colliery and therefore the applications for approval concerning them were disposed of on settlement. That settlement need not be unsettled now.

4. Assuming for the sake of argument, that even though I had refused to approve of the dismissal of the aforesaid workmen earlier, I am entitled to justify their dismissal now, I am unable to do so for reasons hereinafter stated.

5. Sri S. C. Jha, Enquiring Officer, deposed before this tribunal in the present reference. He is a stranger to Chora Colliery. In his deposition he stated:

"The management of Chopra Colliery hired him from Monoharbahal Colliery. I do not know the reason why the management did so."

Since he was a total stranger to the company, he does not know the faces of the workmen charged with misconduct. On the point whether the chargesheet and the notice of the date of enquiry had been served upon the concerned workmen, he stated:

"All the 40 workmen appeared before me at the enquiry. I therefore presumed that they were duly served with the notice of enquiry."

The force of the above statement is considerably neutralised by a statement later on made by him, in which he stated:

"The workmen did not put their signature or thumb impressions on the proceedings. These are enquiry proceedings recorded by me (Ext. 6). When the workmen refused to sign or put their thumb impressions, on the proceeding, I wrote to them a letter recording the fact."

I wonder who appeared before the Enquiring Officer. They may not be the workmen charged with misconduct. Jha's idea that they were the charged workmen may be wholly without foundation.

6. The workmen, it appears from Ext. 6(b), protested against the paucity of opportunity given to them to defend themselves at the enquiry. In the said exhibit it is stated:

"1. It is now in the history of disciplinary actions that an enquiry officer directly issued a letter to cover the defects of his fake enquiry.

2. We were never been given full chance and opportunities to defend ourselves and to cross-examine the Management's Witnesses. Our witnesses were not allowed to depose.

3. We were threatened by the enquiry officer during the proceedings of the so called enquiry.

4. We do not know what the enquiry officer has written in some papers. He just told us that if you are interested you may give your L.T.I. or can go."

The management denied the allegations by their letter dated 30th December 1968 (Ext. 6) and Ext. 13(a). Nevertheless, the management wrote to the workmen to the following effect:

"However, you are hereby given another chance to appear in the enquiry on 10th January 1969 at 10 A.M. before the said enquiry officer in the office along with your witnesses and documents if any. At the enquiry evidences recorded in your presence will be read over and explained to you again and the witnesses will be made available to you to cross-examine them. You will be further given an opportunity to give your statement and to produce your own witnesses in your defence.

In the event of your failure to appear in the enquiry as directed please note that the enquiry held in the matter will be deemed to be concluded finally."

Now, this opportunity for a second enquiry makes me suspicious. It may just be noted that in spite of denial by the management that the first enquiry had not been properly held, they felt it proper to give to the workmen a second opportunity.

7. Be that as it may, the notices of enquiry alleged to have been served upon the workmen were sought to be proved through documentary and oral evidence. The documentary evidence is a Peon Book which bears the alleged thumb impressions of the workmen. Rampada Dubey, the witness who came to prove the Peon Book deposed as follows:—

(a) Fool Bahadur peon was deputed to cause service of the notices and take the workmen's signature or thumb impressions in the Peon Book. From the thumb impressions on the Peon Book I understood that the notices were served on the workmen on two days.

To Tribunal:

The Peon Book was not written in my hand. I compared the entries with the letter. Apart from that I do not know anything about the services made on the workmen (Peon Book marked Ext. 17).

(b) The Peon Book contains the name of the serving peon. Peon Fool Bahadur took the notices for service on the workmen. Then says, after having scrutinised the Peon Book the name of Peon was not written in the Peon Book. I did not make the entries. The peon returned the Peon Book with the thumb impressions of workmen and from that I presumed that the notices had been served.

This witness, in my opinion, is either reckless witness or not a witness of truth. In course of his examination-in-chief he said, 'I know workman Chedi Lal Passi. He also put his thumb impression on the Peon Book.' When the entry dated 23rd September 1962 against Chedilal Passi was pointed out to him, it showed that he did not put this thumb impressions.

8. On the Peon Book and on the evidence of Ramapada Dubey who came to prove the Peon Book (in place of A. K. Chakravorty who had deposed before the Tribunal in the approval case), I am disinclined to hold that the notices were duly served upon the workmen. I find that there was no evidence of service of the notices upon the workmen. It was only presumed by Ramapada Dubey that notices had been served.

9. In the view that I take, I hold that the management of Choro 7 and 9 Pjts Colliery was not justified in dismissing the workmen named in the Schedule to the Order of Reference. The workmen are, therefore, entitled to reinstatement with full back wages.

10. Liberty is reserved to the management to proceed with the charges afresh, if they may after the disapproval order by me, after giving proper notice of enquiry to the workmen.

This is my award.

Dated, September 17, 1969.

B. N. BANERJEE

Presiding Officer.

[No. 6/16/69-LR.II.]

S.O. 4141.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Central Government Industrial Tribunal (No. 2), Dhanbad in the industrial dispute between 30 employers in relation to the management of Iron Ore Mines, (Singhbhum) and their workmen, which was received by the Central Government on the 24th September, 1969.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri Nandagiri Venkata Rao—*Presiding Officer.*

REFERENCE NO. 249 OF 1967

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES:

Employers in relation to the management of the Iron Ore Mines specified in Schedule I.

AND

Their workmen.

APPEARANCES:

On behalf of the employers No. (1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 28, 29 and 30)—Shri S. S. Mukherjee, Advocate.

On behalf of the workmen—Shri P. K. Bose, Advocate.

STATE: Bihar.

INDUSTRY: Iron Ore.

Dhanbad, 18th September, 1969

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the management of the Iron Ore Mines specified in Schedule I and their workmen, by its order No. 37/6/67/LRI, dated 28th July, 1967 referred to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule II annexed thereto. The schedules are extracted below:—

SCHEDULE I

1. Marelgora Iron Ore Mines of Messrs Rungta Mines (Private) Limited. Post Office Noamundi, District Singhbhum;
2. Khas Jamda Iron Ore Mines of Messrs Singhbhum Mineral Company. Post Office Barajamda (Singhbhum);
3. Karampada Iron Ore Mines of Messrs Singhbhum Mineral Company, Post Office, Barajamda (Singhbhum);
4. R. D. B. Iron Ore Mines of Messrs Arjun Lodha, Post Office Barajamda (Singhbhum);
5. Sosopi Iron Ore Mines of Messrs Arjun Lodha, Post Office Barajamda (Singhbhum);
6. Karampada Iron Ore Mines of Messrs M. L. Jain & Sons, Post Office Barajamda (Singhbhum);
7. New Karampada Iron Ore Mines of Messrs R. Medill & Company, Post Office Barajamda (Singhbhum);
8. Ghatkuri Iron Ore Mines of Messrs T. P. Sao, Post Office Barajamda (Singhbhum);
9. Bakana Ghatkuri Iron Ore Mines of Messrs Bishanji Umarshi & Company, Post Office Barajamda (Singhbhum);
10. Bijoy Iron Ore Mines of Messrs T. P. Sao, Post Office Barajamda (Singhbhum);

11. Ajita Buru Iron Ore Mines of Messrs Bishanji Umarshi & Company, Post Office Barajamda (Singhbhum);
12. Pram Baljuri Iron Ore Mines of Smt. Sabita Roy, Post Office Barajamda (Singhbhum);
13. Noamundi Iron Ore Mines of Messrs Ratanlal Surajmal, Post Office Noamundi (Singhbhum);
14. Ghatkuri Iron Ore Mines of Messrs Ratanlal Surajmal, Post Office Barajamda (Singhbhum);
15. Noamundi and Marelgora Iron Ore Mines of Messrs Gajdhar Mining Industry, Post Office Barajamda (Singhbhum);
16. Noamundi Iron Ore Mines of Messrs M. N. Ghosh, Post Office Barajamda (Singhbhum);
17. Nuyia Iron Ore Mines of Messrs Devidayal Sales (Private) Limited, Post Office Barajamda (Singhbhum);
18. Deriburu Iron Ore Mines of Messrs Devidayal Sales (Private) Limited, Post Office Barajamda (Singhbhum);
19. Ghatkuri Iron Ore Mines of Messrs Orissa Mangancse and Minerals Company (Private) Limited, Post Office Barajamda (Singhbhum);
20. Kunirfa Iron Ore Mines of Messrs K. L. Thacker, Post Office Noamundi (Singhbhum);
21. Ghatkuri Iron Ore Mines of Messrs K. L. Thacker, Post Office Gua (Singhbhum);
22. Baraiburu Iron Ore Mines of Messrs M. G. Rungta, Post Office, Barajamda (Singhbhum);
23. Noamundi Iron Ore Mines of Messrs Dwarka Dass Ramgopal Sah, Post Office Barajamda (Singhbhum);
24. Itarbaljori Iron Ore Mines of Messrs G. S. Sarda, Post Office, Noamundi (Singhbhum);
25. Nohudi Baljori Iron Ore Mines of Messrs M. Aikath, Post Office Noamundi (Singhbhum);
26. Nava Bharat Iron Ore Mines of Messrs Ram Singh Fauza Singh, Post Office Noamundi (Singhbhum);
27. Ghatkuri Iron Ore Mines of Messrs Ramkrishen Singh, Post Office Barajamda (Singhbhum);
28. Shri Anuar Hussain, Contractor, Barbil Iron Ore Mines of Messrs Ratanlal Surajmal, Post Office Noamundi (Singhbhum);
29. Sri Md. Sayyed, Contractor, Ghatkuri Iron Ore Mines of Messrs Ratanlal Surajmal, Post Office Barajamda (Singhbhum);
30. Shri Sudhir Kumar Ghosh, Contractor, Karampada Iron Ore Mines of Messrs Misrilal Jain, Post Office Barajamda (Singhbhum).

SCHEDULE II

Whether the managements of the Iron Ore Mines specified in Schedule I. were justified in not granting the second interim wage increase recommended by the Central Wage Board for Iron Ore Mining Industry, and published with the Resolution of the Government of India in the Department of Labour and Employment No. WB-2(4)/66(1), dated the 12th August, 1966, with effect from the 1st April, 1966?

If not, to what relief are the workmen entitled?

2. Workmen as well as employers No. 1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15, 20; 21, 22, 26, 28, 29 and 30 filed statement of demands. In spite of notice employers No. 4, 5, 9, 17, 18, 19, 23, 24, 25 and 27 chose to remain absent as such, the case proceeded against them in accordance with Rule 22 of the Industrial Disputes (Central) Rules, 1957. They did not file their statements even. Out of the contesting employers, employer No. 16 did not file his statement. Employers No. 8 and 10 on 3rd March, 1969 and employer No. 21 on 20th August, 1969 filed compromise memos and they were duly verified. The contesting employers were represented by Shri S. S. Mukherjee, Advocate and the workmen by Shri P. K. Bosc, Advocate. On behalf of the contesting employers MWs. 1 to 9 were examined and Exts. M1 to M18 were marked. On admission by the contesting employers Exts. W1 to W4 were marked for the workmen. Workmen examined WW. 1 and marked Ext. W. 5.

3. It is not in dispute that the Government of India in the Ministry of Labour, Employment and Rehabilitation by their Resolution No. WB-21(1)/62(i), dated 3rd May, 1963, appointed a Central Wage Board for Iron Ore Mining Industry with several terms of reference. The Wage Board recommended the first interim relief on 22nd November, 1963. Subsequently the Board also recommended the 2nd interim relief on 29th April, 1966 to be effective from 1st April, 1966 to 31st December, 1966. Both the recommendations were accepted by the Government through their Resolutions No. WB-2(36)/63, dated 5th February, 1964 and No. WB-2(4)/66(1), dated 12th August, 1966, respectively and gave effect to them by requesting the employers to implement them. Now the complaint of the workmen is that in spite of all efforts of their union the 30 employers mentioned in the 1st schedule of the order of reference did not implement the recommendations for 2nd interim relief.

4. Out of the 30 employers, employers No. 4, 5, 9, 17, 18, 19, 23, 24, 25 and 27 chose to remain absent in spite of service of notice and they did not submit their statement of demands. Employer No. 16 though represented by Shri S. S. Mukherjee, Advocate also did not file his statement of demands. In view of Rule 22 of the Industrial Disputes (Central) Rules, 1957 the case proceeded against them as though all of them had duly attended or had been represented. But, as they did not file their statements the Tribunal has no material to understand on what grounds they were justified in not implementing the recommendation of the Wage Board in respect of the 2nd interim relief. In the absence of pleading and evidence the inference is irresistible that they had no ground whatsoever to justify non-implementation of the recommendation. Consequently, award requires to be made against them accordingly.

5. Employers No. 8 and 10 have filed a compromise memo on 3rd March, 1969 and employer No. 21 on 20th August, 1969. The compromise memos were duly verified. According to the compromise memos employers No. 8 and 10 have agreed to grant the 2nd interim wage increases to the workmen who were on the roll on 1st April, 1966 for the period from 1st April, 1966 to 31st December, 1966 and the workmen have admitted that from the perusal of the wage-sheets of employer No. 21 they were satisfied that the employer had fully implemented the 2nd interim wage increase and the workmen had received their wages accordingly. I consider this compromise memos as fair and beneficial to the workmen. The compromise memos are, therefore accepted and the award requires to be made in respect of the terms of compromise as far as employers No. 8, 10 and 21 and their workmen are concerned and the compromise memos be made part of the award.

6. Shri S. S. Mukherjee, the learned Advocate representing the contesting employers has raised some legal objections to the sustainability of the reference. In their statement of demands some of the employers have taken the objection that the recommendation of the Wage Board for the 2nd interim wage increase is not connected with the employment or non-employment or the terms of employment or with the conditions of labour and as such the dispute for refusal to grant the same is not an industrial dispute. In order to see if the objection has any substance a few facts may be stated. The Wage Board for Iron Ore Mining Industry was constituted by the Government of India, in the Ministry of Labour and Employment, by their Resolution No. WB-21(1)/62(1), dated 3rd May, 1963 in pursuance of the recommendation contained in the 2nd and 3rd Five Year Plans. The Board originally consisted of Shri L. P. Dave, Chairman, Shri M. L. Bakliwal, M.P., and Dr. R. M. Honovar as Independent Members, Shri Suku Sen, Shri S. G. Naidu, Members representing employers, and Shri M. John, Shri B. Patra, Members representing workers. The membership of the Board underwent some changes. Shri Patra resigned from the Board on 9th September, 1963 and Shri Kanti Mehta was appointed in his place from 27th September, 1963. Shri Suku Sen resigned and in his place Shri Ramanand Sinha was appointed as a representative of the employers on 30th January, 1965. On Dr. R. M. Honovar's resignation Shri N. K. Das was appointed in his place from 27th October, 1965. Soon after the constitution of the Wage Board the Board received from the various labour unions requests for grant of immediate interim relief. The Indian Mining Association and managements of iron ore mining companies expressed their views and gave comments on workers memoranda relating to the demand of interim wage increase. The Board heard the parties and discussed the question of interim relief at length and made recommendations granting to all workmen in the iron ore mining industry (whether time rate or piece rated as defined under the Industrial Disputes Act, 1947) minimum emoluments. The workmen employed by or through contractors were also covered by these recommendations. The Government gave

effect to these recommendations through resolution No. WB-2(36)/63, dated 5th February, 1964. While the Board was continuing its deliberations labour organisations started making representations to the Board for the grant of another interim wage increase. In the light of persistent demand by the workers organisations and the insistence of labour representative on the Board to consider the question of grant of 2nd interim wage increase and keeping in view further time required by the Board to finalise its work and the increase in the cost of living in the period of more than 2 years that had elapsed since the grant of the 1st wage increase, the Board on 29th April, 1966 unanimously recommended to the Government to grant a 2nd interim wage increase with effect from 1st April, 1966. The Government accepted these recommendations and gave effect to them by its resolution No. WB-2(4)/66(1), dated 12th August, 1966. It is this 2nd interim relief regarding implementation of which the parties are at dispute, and the dispute is referred to this Tribunal for adjudication. It is significant to note that on the Board there were representatives of employers, the Indian Mining Association and managements of iron ore mining companies, the recommendations for the 1st and 2nd interim reliefs, the 2nd interim relief in particular, were unanimous and all the employers have implemented the 1st interim relief. It is also to be observed that in their statements the contesting employers have pleaded either implementation of the recommendations for the 2nd interim relief in full or in part or financial and other difficulties coming in their way in implementing the same. But no where have they challenged the constitution of the Wage Board or binding nature of the recommendations made by it. It is submitted on behalf of the contesting employers that the recommendation of the Wage Board for the 2nd interim relief is not connected with the employment or non-employment or the terms of employment or with the conditions of labour and, as such the dispute regarding its implementation is not "industrial dispute" within the meaning of Section 2(k) of the Industrial Disputes Act, 1947. The increase in wages of the workmen in implementation of the 2nd interim relief is connected with their terms of employment and, as such it falls within the phrase "terms of employment". This position is fairly conceded by Shri S. S. Mukherjee, Advocate representing the contesting employers. Thus, I do not find any substance in the objection.

7. The next legal objection raised on behalf of the contesting employers is two fold i.e. the Gua Mines Workers Union, which has sponsored the present dispute did not function in any of the mines at any time and as such it was incompetent to raise the dispute and that the dispute was not raised at any time with the employers. It is true that in order to constitute an industrial dispute the individual disputes of aggrieved workmen should be sponsored by their union. In their statement of demands the employers have simply denied that the Gua Mines Workers Union ever functioned in their respective mines. The evidence of MWs. 1, 2, 3, 7, 8 and 9 is also to the same effect. No further details are furnished or spoken to by any witness. They did not state that the workmen of the mines were not members of the Gua Mines Workers Union. It is not shown which union was working in the mines, if not the Gua Mines Workers Union. None of the workmen of the mines is examined. On behalf of the workmen Shri D. C. Verma, Vice President of the Gua Mines Workers Union since 1958 examined as WW 1. It is his evidence that the union is functioning in all the 30 mines mentioned in the schedule I of the order of reference, that many workmen of the 30 mines are members of the union, that Shri R. B. Kant, General Secretary of the union represented the workmen before the Conciliation Officer and no employer had taken any objection against his authority to represent the workmen, that the union is affiliated to Indian National Mines Workers Federation which is national federation of the mine workers union affiliated to Indian National Trade Union Congress as shown in the letter head Ext. W. 5, that the union is registered by the Registrar of Trade Unions, Bihar at Patna in 1947 having its registered No. as 90, that Shri M. John is the President from 1947 and also the President of the State Committee, that Shri M. John and Shri Kanti Mehta represented the workmen on the Wage Board and Shri Kanti Mehta was the General Secretary of the Indian National Mine Workers Federation, that Shri Kanti Mehta had replaced Shri P. C. Patra who was also a Working Committee Member of the Federation on the Wage Board and that, as such the Gua Mines Workers Union was quite competent to asspouse the cause of the workmen of the mines. This evidence is amply corroborated by Ext. W. 5 as well as by the proceedings of the Wage Board. Further, the failure report dated 10th March, 1967 submitted to the Chief Labour Commissioner by the Assistant Labour Commissioner (C) Dhanbad-II also shows that the dispute before him was raised by the General Secretary, Gua Mines Workers Union (INTUC) and that Shri D. C. Verma, Vice President and Shri R. B. Kant, General Secretary of the union

represented the workmen before him. The failure report does not show that any of the employers had challenged the capacity of the Gua Mines Workers Union or Sarvashree D. C. Verma and R. B. Kant to represent the workmen. There is no rebuttal to this material on record. Consequently, I find that the Gua Mines Workers Union which has raised the dispute on behalf of the workmen of the mines was a union of the workmen and as such the dispute raised by it on behalf of the workmen was an industrial dispute. I subscribe to the proposition that when there is no evidence that either the aggrieved workers or their union made a demand on the employer for the redress of their grievances and that the demand was refused by the employer, it cannot be said that an industrial dispute exists between the employer and workmen. But, in the instant case there is ample evidence to show that the demand was made by the Gua Mines Workers Union and it was denied by the employers before the Government chose to make the reference. The failure report dated 10th March, 1967 submitted to the Chief Labour Commissioner by the Assistant Labour Commissioner (C) Dhanbad-II throws ample light on this matter. It appears from it that the General Secretary, Gua Mines Workers Union, Gua (INTUC) complained to the Chief Labour Commissioner (Central) New Delhi in respect of non-implementation of the 2nd Interim relief and subsequently the matter was taken up by the Assistant Labour Commissioner (C) Dhanbad-II as an industrial dispute. The representatives of the employers as well as the workmen appeared before the Assistant Labour Commissioner (C) Dhanbad-II on more than one hearings and discussed the dispute at length and ultimately the employers refused to implement the 2nd interim relief resulting in the failure report. From this material it is abundantly clear that the demand to implement the 2nd interim relief was made to the employers by the workmen and the employers refused to implement it. All this happened before the Government passed the order of reference on 28th July, 1967. In other words, the demand was made by workmen and it was denied by the employers before the Government made the reference and, as such the reference was valid. The learned Advocate for the contesting employers has referred me to a case of the Supreme Court, *S. R. Corporation vs. Industrial Tribunal, Gujarat* (A. I. R. 1968—Supreme Court 529). But the facts in that case were quite different from those in the present case. In that case the retrenched employee and the union had confined their demand to the management for retrenchment compensation only and did not make any demand for reinstatement and, as such the reference made by the Government in respect of reinstatement was held as not correct. In the result, I do not find any substance in the legal objections raised by the employers.

8. Shri S. S. Mukherjee, the learned Advocate representing the contesting employers has arranged the employers in four groups in accordance with the pleas taken by them in their statement of demands and the groups are as following:

Group I.—Employers No. 1, 7, 11, 12, 13, 20 and 22 pleading that during the relevant period their mines remained closed and as such, there was no question of paying higher wages to the workmen concerned in implementation of the 2nd interim relief.

Group II.—Employers No. 6, 14 and 30 pleading that they had implemented the 2nd interim relief in full paying to the concerned workmen increased wages as directed.

Group III.—Employers 8 & 10 pleading settlement.

Group IV.—Employers No. 2, 3, 15 and 21 while admitting that they have not implemented the 2nd interim relief in its terms, pleading that they have paid to the workmen concerned more amounts than they were entitled to under the 2nd interim relief.

As I have already pointed out employers of Group III and employer No. 21 of Group IV have compromised their dispute and, as such, no more adjudication is required as far as they are concerned. I propose to take up for discussion cases of the other employers as arranged in the groups mentioned above.

9. **Group I.**—The pleading of employers No. 1, 7, 11, 12, 13, 20 and 22 is that during the relevant period, viz. from 1st April, 1966 to 31st December, 1966 their respective mines remained closed and as such, they could not be called upon to implement the 2nd interim relief by paying the wages to the workmen concerned for the period from 1st April, 1966 to 31st December, 1966.

(1) In his statement employer No. 1 has pointed out that his mine was closed on 26th August, 1966, that by the time the 2nd interim relief was announced

on 27th August, 1966 the workmen of the mine had left and that as such there was no question of implementing the 2nd interim relief. MW-1 has spoken and the notice of closure of the mine, Ext. M-1 is produced to show that the mine was closed with effect from 26th August, 1966. There is no rebuttal on behalf of the workmen that the mine was closed from 26th August, 1966 and continued to remain so closed till 31st December, 1966. But under the 2nd interim relief the increased wages were payable from 1st April, 1966 and the reason shown by the employer for not paying to the workmen concerned the wages in accordance with the 2nd interim relief from 1st April, 1966 to 25th August, 1966 is not convincing and cannot be accepted. It is rejected. The employer was not justified in refusing to implement the 2nd interim relief and pay wages accordingly to the concerned workmen from 1st April, 1966 to 25th August, 1966.

(2) The pleading of employer No. 7 is that his mine remained closed from 15th May, 1965 to 5th March, 1967 and as such, he was not liable to pay the increased wages to the concerned workmen in accordance with the 2nd interim relief from 1st April, 1966 to 31st December, 1966. Ext. M-4 is the closure notice showing that the mine was closed from 15th May, 1965 and Ext. M-5 is the notice showing that it was reopened from 6th March, 1967. Ext. M-6 is a certificate from the District Mining Officer confirming that the mine remained closed from May, 1965 to March, 1967. MW-2 has also spoken to the same effect. Neither the witness was cross-examined on this point nor did the workmen lead evidence to the contrary. Hence, the plea of the employer is accepted that he was not liable to pay wages in accordance with the 2nd interim relief.

(3) Employer No. 11's case is that his mine remained closed from 12th May, 1966 and continued to remain so closed during the relevant period. Ext. M-7 is a notice of closure of the mine showing that the mine was closed with effect from 12th May, 1966. MW-3 has further corroborated the fact. There is no rebuttal evidence. MW-3 has conceded that various wages in accordance with the 2nd interim relief were not paid to the workmen concerned for the period from 1st April, 1966 to 11th May, 1966. The employer is liable to pay the same.

(4) The statement of employer No. 12 is that his mine remained closed for the entire relevant period and as such, he was not liable to implement the 2nd interim relief. Ext. M-12 is the closure notice in support of the statement. MW-6 has in his evidence that the mine is closed from 24th June, 1965 and it still remains closed. There is no cross-examination on this point nor any rebuttal evidence brought on record. Hence the employer cannot be held liable to implement the 2nd interim relief.

(5) On behalf of employer No. 13, MW-5 has deposed that his mine remained closed from July 1965 to 15th August, 1965. And again it was closed with effect from 29th November, 1966 and remained closed during the remaining relevant period. Ext. M-10 supports MW-5. MW-3 has deposed that wages in accordance with the 2nd interim relief for the period from 16th August, 1966 to 28th November, 1966 during which the mine worked, were paid to the workmen concerned and for support he has relied upon the wage-sheets. Ext. M-11. Ext. M-11 shows that the names of only 4 employees, Manager, Register Keeper, M. Mate and Watchman and MW-5 has conceded that it does not contain names of miners and hazri mazdoors and states that they were employees of a contractor. The employer was liable to pay wages to workmen for the period from 16th August, 1966 to 28th November, 1966 and the question whether he has paid to all the workmen strictly in accordance with the recommendation will be a matter for consideration for the Labour Court when the award is placed before it for implementation.

(6) The plea of employer No. 20 is that during the relevant period his mine remained closed and as such he was not obliged to implement the 2nd interim relief. One of the owners, MW-4 has deposed in support of the plea and proved Exts. M-8 and M-9. Ext. M-8 is a notice of closure showing that the mine remained closed with effect from 26th April, 1965 and Ext. M-9 is another notice showing that the mine was reopened from 1st April, 1968. The witness is not cross-examined nor is there any material brought on record in rebuttal. Hence, the employer was not liable to implement 2nd interim relief.

(7) Employer No. 22 also pleaded that during the relevant period his mine remained closed and as such, he could not be called upon to implement the 2nd interim relief. MW-1 was the Administrative Officer of the mine of employer No. 22 in 1966. It is his evidence that the mine was raising iron and manganese ores and that the section of the mine relating to iron ore stopped working with

effect from 1st November, 1965. He further deposed that while both sections of the mine were working statements were being sent to the Director-General, Mines Safety separately in respect of iron and manganese ores. In respect of the return submitted by the mine for the quarter ending 30th June, 1967, the Mines Department sought clarification through the letter Ext. M-2. A true copy of the clarification sent by the mine clarifying the position is Ext. M-3. This letter, Ext. M-3 supports the plea of the employer that the iron ore section of the mine was closed from 1st November, 1965 and that the section relating to manganese ore was working. There is no rebuttal evidence. Hence, the employer was not liable to implement the 2nd interim relief.

10. **Group II**—Employers No. 6, 30 and 14, though filed statements at first pleading that they could not implement the 2nd interim relief for various reasons and that they were justified in doing so, on a subsequent date they have filed statements stating that they have already paid to the workmen the 2nd interim wage increase as recommended by the Wage Board. They have also examined witnesses, MWs-7 & 8 and marked Exts. M-13, M-14 and M-15 to support their subsequent plea that they had paid increased wages as per the 2nd interim relief recommended by the Wage Board. When they have accepted their liability and pleaded discharge of the same it shall be for the Labour Court to determine the correctness or otherwise of the payment. As far as the present enquiry is concerned the 3 employers were bound to implement the 2nd interim relief recommended by the Wage Board and there was no justification if they had not done so.

11. **Group III**—As I have already pointed out, the 3 employers No. 8 & 10 and employer No. 21 of Group IV have compromised the dispute with the workmen and, as such no further enquiry is necessary as far as these employers are concerned.

12. **Group IV**—(1) Shri S. S. Mukherjee, the learned Advocate had put employers No. 2, 3, 15 and 21 in this group stating that though these employers had not implemented the 2nd interim relief in terms, they had paid more to the workmen than what was due to them. Employer No. 21, as I have pointed out above, has already compromised the dispute with the workmen. But I find from the record that employers No. 2 & 3 have nowhere pleaded that they had paid to the workmen concerned more amounts than they were entitled to under the 2nd interim relief. Each of them have filed only one written statement, pleading in para 11 that it was not possible for them to grant the 2nd interim wage increase on grounds shown in the para and again pleading in para 13 that they were justified in not granting the 2nd interim wage increase. On behalf of these 2 employers no witness is examined and no document is filed. Therefore, it follows that these 2 employers, Nos. 2 & 3 have not paid wages to the concerned workmen in accordance with the 2nd interim relief recommended by the Wage Board and the grounds shown in the written statement for not implementing are neither proved nor do they justify their non-payment of wages in accordance with the recommendation.

(2) Employer No. 15 also has filed only one written statement taking the same pleas as employers No. 2 & 3. But he has examined a witness, MW-9 and marked documents, Exts. M-16, M-17 and M-18 to show that he had paid to the workmen concerned more wages than were due to them under the 2nd interim relief recommended by the Wage Board. I do not propose to enter into discussion of the evidence to find how far the payments pleaded were correct and sufficient. They can be done by the Labour Court. I hold that the employer was bound to implement recommendations and if he had not paid correctly and sufficiently to the workmen concerned, there was no justification for the same.

13. Employers No. 26, 28 and 29 have filed their statements but did not lead any evidence. In the statements they have taken pleas which has no substance. Admittedly, they did not implement the 2nd interim relief recommendation to any extent. Thus, the 3 employers had no justification for not implementing the recommendation and for not paying the wages to the concerned workmen accordingly.

14. As the result of my above discussion I hold as follows:

- (1) The management of the employers No. 7, 12, 20 and 22 mentioned in the 1st schedule to the order of reference were justified in not granting the 2nd interim wage increase as recommended by the Wage Board.

- (2) Employers No. 8, 10 and 21 have compromised their disputes with the concerned workmen in terms of the compromise. The compromise memos are annexed herewith and are made part of the Award;
- (3) Employer No. 1 was not justified in not paying the wages from 1st April, 1966 to 25th August, 1966 in terms of the recommendation and he is liable to pay the same.
- (4) Employer No. 11 was not justified in not paying the wages to the concerned workmen from 1st April, 1966 to 11th May, 1966 in accordance with the recommendation and he is liable to pay the same.
- (5) Employer No. 13 was not justified in not paying the wages to the concerned workmen for the period from 16th August, 1966 to 28th November, 1966 in accordance with the recommendation and he is liable to pay the same.
- (6) Employers No. 2, 3, 4, 5, 6, 9, 14, 15, 16, 17, 18, 19, 23, 24, 25; 26, 27; 28; 29 and 30 were not justified in not paying the wages to the concerned workmen in accordance with the recommendation for the entire period, viz., from 1st April, 1966 to 31st December, 1966 and they are liable to pay the same.

The award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

Sd/-

N. VENKATA RAO, Presiding Officer.
Central Government Industrial Tribunal
(No. 2), Dhanbad.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2 DHANBAD

REFERENCE No. 249 OF 1967.

Employers in relation to Ghatkuri iron ore mines (serial No. 8 of the schedule of the reference) and Bijoy iron ore mines (serial No. 10 of the schedule of reference) of M/s. T. P. Sao, and Their Workmen.

The humble petition on behalf of the above named employer and their workmen represented by the Gua Mine Workers union,

Most respectfully sheqeth:—

1. That the dispute of the above reference has been amicably settled between the parties on 17th December, 1968 on the following terms.

2. That the employers have agreed to grant the 2nd interim wage increases to the workmen who were on the roll on 1st April, 1966, the date when the 2nd interim wage increase was brought into effect.

3. That the workmen will be paid according to the second interim wage increase from 1st April, 1966 for the days they had worked till the date of the final wage board recommendation namely 31st December, 1966.

4. That the above terms finally resolves the dispute between the parties.

It is therefore humbly prayed that the compromise may kindly be recorded and an Award passed in terms thereof.

For your information it may be mentioned here that as per agreement the payment has been made.

For Workmen

R. B. KANTH
Secretary
Gua Mine Workers Union, Gua.

For Employers,

R. N. SINGH
Agent
Ghatkuri and Bijoy Iron Ore
Mines of M/s. T. P. Sao, Barajanda.

Date 16-1-1969.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2. DHANBAD AT CALCUTTA

REFERENCE No. 249 of 1967.

Employer in relation to Ghatkuri Iron Mine of Messrs Khatau Liladhar Thacker,
(Serial No. 21)

AND

Their workmen.

That the employer above named and the workmen represented by the recognised Gua Mines Worker's Union have amicably settled the dispute of the present reference.

That from the perusal of the wages sheets filed by the employer, the Union is satisfied that the employers have fully implemented the second interim wage increase and the workmen have received their wages accordingly.

That if on joint enquiry by the Union and the management it is found that any of the workman has not received his wages according to the Second Interim Wage increase the management will pay the balance to the concerned workman.

That there is, therefore, no dispute pending before this Hon'ble Tribunal concerning the present reference which needs any further adjudication.

It is, therefore, humbly prayed that the present reference concerning the employer mentioned in Serial No. 21 may be disposed of as a no dispute award.

For Workmen.

D. C. VARMA
Vice President,

Gua Mines Worker's Union.

For Employer.

Ghatkuri Iron Mines.

N. K. ATHA.

Partner.

S. S. MUKHERJEE.
Advocate.

Dated, 20th August 1969.

[No. 37/6/67-LRIV.]

ORDERS

New Delhi, the 27th September 1969

S.O. 4142.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of East Kajora Colliery of Messrs Jaipuria Samla Amalgamated Collieries, Limited, Post Office Samla Collieries, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of East Kajora Colliery of Messrs Jaipuria Samla Amalgamated Collieries Limited, Post Office Samla Collieries, District Burdwan in dismissing Sarvashri Pardeshi Harijan, Underground Trammer and Lochan Harijan, Timber Mazdoor with effect from 28th October, 1968 was justified? If not, to what relief are the workmen entitled?"

[No. 6/63/69-LR.II.]

S.O. 4143.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bararee Colliery of Messrs East Indian Coal Company Limited, Post Office Jealgora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 3), Dhanbad constituted under section 7A of the said Act.

SCHEDULE

"Whether the demand of the East Indian Coal Company Workers' Union, Post Office Jealgora (Dhanbad) for Grade II, scale of pay as per recommendations of the Coal Wage Board in respect of Shri Raghu Nandan Mondal, Attendance Clerk, for the period from the 15th, August, 1967, to the 21st August, 1968 is justified? If so, to what relief is the workmen entitled?"

[No. 2/145/69-LRII.]

S.O. 4144.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kankanee Colliery of Messrs Bhowra Kankanee Collieries Limited, Post Office Bansjora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad constituted under section 7A of the said Act.

SCHEDULE

- (A) Whether the management of Kankanee Colliery of Messrs Bhowra Kankanee Collieries Limited, Post Office Bansjora, District Dhanbad, Managing Agents, Messrs Karamchand Thapar and Brothers (Private) Limited, Central Office Bhowra, Post Office Bhowra, District Dhanbad rendered idle 238 miners (details as per Schedule I) for the period shown against their names? If so, to what relief are the workmen concerned entitled?
- (B) Whether the action of the management of Kankanee Colliery of Messrs Bhowra Kankanee Collieries Limited, Post Office Bansjora, District Dhanbad, Managing Agents, Messrs Karamchand Thapar and Brothers (Private) Limited, Central Office Bhowra, Post Office Bhowra, District Dhanbad in refusing work without any notice to 11 miners (details as per Schedule II) with effect from the 1st August, 1968 was justified? If not, to what relief are the workmen concerned entitled?
- (C) Whether the management of Kankanee Colliery of Messrs Bhowra Kankanee Collieries Limited, Post Office Bansjora, District Dhanbad Managing Agents Messrs Karamchand Thapar and Brothers (Private) Limited, Central Office Bhowra, Post Office Bhowra, District Dhanbad rendered idle 12 trammers (details as per Schedule III) with effect from the 1st August, 1968 was justified? If so, to what relief are the workmen concerned entitled?
- (D) Whether the action of the management of Kankanee Colliery of Messrs Bhowra Kankanee Collieries Limited, Post Office Bansjora, District Dhanbad, Managing Agents, Messrs Karamchand Thapar and Brothers (Private) Limited, Central Office Bhowra, Post Office Bhowra, District Dhanbad in refusing work without any notice with effect from the dates shown against each (details as per Schedule IV) to 21 trammers was justified? If not, to what relief are the workmen concerned entitled?"

SCHEDULE I

List of members of Kanhanee Colliery who were stopped from working without any notice for the period mentioned against their names.

Serial No.	Name	Period of idleness
1	Shri Sukala Bhar	1-8-1968 to 9-8-1968
2	" Saha Bhar	1-8-1968 to 18-12-1968
3	" Beli Bhar	1-8-68 to 24-10-68
4	" Sanchu Bhar	1-8-68 to 12-10-68
5	" Ram nandan Rabidas	1-8-68 to 12-10-68
6	" Hardeo Rabidas	1-8-68 to 20-10-68
7	" Pujan Bhar	1-8-68 to 21-10-68
8	" Kaloo Pasi	1-8-68 to 10-11-68
9	" Santoo Rabidas	1-8-68 to 2-8-68 and 9-9-68 to 19-10-68
10	" Ramdeo Gope	1-8-68 to 2-8-68
11	" Budhan Bhuia	1-8-68 to 25-9-68
12	" Shyamul Gope	1-8-68 to 19-8-68
13	" Hinoo Harijan	1-8-68 to 2-8-68
14	" Dodhi Sao	1-8-68 to 2-8-68
15	" Padoo Sao	1-8-68 to 15-8-68
16	" Merki Sao	1-8-68 to 10-10-68
17	" Kaloo Bhuia	1-8-68 to 10-10-68
18	" Anchoo Bhuia	1-8-68 to 3-8-68
19	" L. Chander Gope	1-8-68 to 2-8-68
20	" Chhikuri Erbi	1-8-68 to 9-11-68
21	" Neoroo Thukur	1-8-68 to 4-8-68
22	" Bhukhal Harijan	1-8-68 to 4-8-68
23	" B. Bigen Bhuia	1-8-68 to 4-8-68
24	" Jadoo Mahato	1-8-68 to 3-8-68
25	" Fancher Bhuia	1-8-68 to 3-8-68
26	" Mursaji Bhuia	1-8-68 to 3-8-68
27	" Maheshwar Bhuia	1-8-68 to 3-8-68
28	" Ch. Karu Bhuia	1-8-68 to 3-8-68
29	" Saran Dusach	1-8-68 to 2-8-68
30	" Manjer Chamar	1-8-68 to 2-8-68
31	" Gobardhan Chamar	1-8-68 to 9-8-68
32	" Fancher Bhuia	1-8-68 to 15-10-68
33	" Kesko Bhuia	1-8-68 to 17-10-68
34	" Puna Dusach	1-8-68 to 15-10-68
35	" Raghu Sao	1-8-68 to 2-8-68
36	" Karmi Bhuia	1-8-68 to 11-11-68
37	" Bisher Sao	1-8-68 to 12-11-68
38	" Sukhdeo Roy	1-8-68 to 2-8-68
39	" Birjoo Bhuia	1-8-68 to 2-8-68
40	" Barho Bhuia	1-8-68 to 20-10-68
41	" Bajhen Bhuia	12-8-68 to 31-8-68
42	" Ramas Fhar	1-8-68 to 12-12-68
43	" Dhelco Fhar	11-8-68 to 11-12-68
44	" Mohit Chamar	1-8-68 to 2-8-68
45	" Ram Chamar	1-8-68 to 2-8-68
46	" Jibul Parti	1-8-68 to 2-8-68
47	" Dhan Gope	1-8-68 to 2-8-68
48	" Dhar mdeo Gope	1-8-68 to 2-8-68
49	" Harkho Gope	1-8-68 to 3-8-68
50	" B. Haman Sao	1-8-68 to 2-8-68
51	" Ramasis Singh	1-8-68 to 2-8-68
52	" Lilo Sao	1-8-68 to 3-8-68
53	" Chhiman Gope	1-8-68 to 4-8-68
54	" Henif Mian	1-8-68 to 3-8-68
55	" Sahdul Mian	1-8-68 to 2-8-68
56	" Rameshwar Bhuia	1-8-68 to 26-10-68
57	" Badri Bhuia	1-8-68 to 25-10-68
58	" Arjoon Mal	1-8-68 to 2-8-68
59	" Raghu Chamar	1-8-68 to 2-8-68

60	Shri Bulak Chamar	1-8-68 to 2-8-68
61	„ Gobardhan Ram	1-8-68 to 3-8-68
62	„ Bhikhan Bhuia	1-8-68 to 2-8-68
63	„ Tilak Sao	1-8-68 to 2-8-69
64	„ Dhenoo Sao	1-8-68 to 2-8-68
65	„ Rakan Gope	3-9-68 to 5-10-68
66	„ Najir Mian	1-8-68 to 2-8-68
67	„ Salim Mian	1-8- 8 to 2-8-68
68	„ Rahmal Mian	1-8-68 to 2-8-68
69	„ Ramratan Rabidas	1-8-68 to 11-12-68
70	„ Gobardhan Bhuia	1-8-68 to 10-9-68
71	„ Raghuji Rabidas	1-8-68 to 11-10-68
72	„ Pawan Das	1-8-68 to 11-10-68
73	„ Lalir. n. Rabidas	1-8-68 to 10-11-68
74	„ Deotakshi Gope	1-8-68 to 12-10-68
75	„ Mangai Lhari	1-8-68 to 3-8-68
76	„ Ram Bharat Harijan	12-8-68 to 23-11-68
77	„ Dukari Rabidas	3-8-68 to 11-11-68
78	„ Shyamal Harijan	19-8-68 to 9-10-68
79	„ Arjun Sing	3-8-68 to 12-9-68
80	„ Satoko Rabidas	1-8-68 to 15-10-68
81	„ Salim Mian	1-8-68 to 11-10-68
82	„ Suchet Harijan	22-8-68 to 21-11-68
83	„ Paloo Gope	1-8-68 to 2-8-68
84	„ Barabailhar	Do.
85	„ Chhokra Bhuia	Do.
86	„ Jagan Bhuia	Do.
87	„ Dajo Bhuia	Do.
88	„ Raghubar Harijan	Do.
89	„ Neral Kurmi	Do.
90	„ Ramkrishna Rabidas	Do.
91	„ Kedar Kewat	Do.
92	„ Rajeev Har	Do.
93	„ Jhaldu Bhar	Do.
94	„ Barkat Rabidas	Do.
95	„ Ram Rabidas	Do.
96	„ Parvad Rabidas	Do.
97	„ Mohammad Ali Mian	Do.
98	„ Kaloo Mahato	Do.
99	„ Suren Mahato	Do.
100	„ Srinath Har	Do.
101	„ Ramrup Har	Do.
102	„ Ch. Machu Harijan	Do.
103	„ Durjan Murda	Do.
104	„ Gobardhan Turi	Do.
105	„ Jadunandan Harijan	Do.
106	„ Kanchan Bhuia	Do.
107	„ Jitu Harijan	Do.
108	„ Ch. Baliram Harijan	Do.
109	„ Pujan Har	Do.
110	„ Ramchari Singh	Do.
111	„ Murli Harijan	Do.
112	„ Burdhan Bhuia	Do.
113	„ Sukra Bhuia	Do.
114	„ Mohammed Hussain Mian	Do.
115	„ Sonarim Rewani	Do.
116	„ Thunhu Manjhi	1-8-68 to 2-10-68
117	„ Sucha Manjhi	Do.
118	„ Pawaru Kumbhar	Do.
119	„ Dattatram Ram	Do.
120	„ Ramkailash Chamar	Do.
121	„ Moti Sao	Do.
122	„ Mumtaj Mian	Do.
123	„ Sitarim Rabidas	Do.
124	„ Ramkaran Rabidas	Do.
125	„ Ramlal Bhuia	Do.
126	„ Mahabir Pasi	Do.

127	Shri Jagdish Bhuia	1-8-68 to 2-8-68
128	Binda Singh	1-8-68 to 12-10-68
129	Tilak Shaw	1-8-68 to 2-8-68
130	Rupan Bhuia	2-8-68 to 3-8-68
131	Meohan Bhuia	1-8-48 to 3-8-48
132	Jhingi Bhar	Do.
133	Jheman Bhuia	Do.
134	Bimal Maharo	Do.
135	Laldhari Ram	Do.
136	Palu Dhobi	Do.
137	Ch. Baijnath Rabidas	Do.
138	Rajoo Mian	Do.
139	Jhagreo Bhar	Do.
140	Palakdhari Bhar	Do.
141	Rupa Rabidas	Do.
142	Sagchu Bhar	Do.
143	Ramji Bhuia	Do.
144	Ganpat Rabidas	3-8-68 to 12-10-68
145	Dwarika Chamar	Do.
146	Kedar Maharo	Do.
147	Ratan Bhuia	Do.
148	Kamal Rabidas	Do.
149	Ramnath Bhar	Do.
150	Gyani Thakur	Do.
151	Hardeo Rabidas	Do.
152	Ramkrit Rabidas	3-8-68 to 12-12-68
153	Shyamnarain Mishra	Do.
154	Deonandan Bhar	Do.
155	Harkhoo Kurmi	Do.
156	Basant Gope	Do.
157	Patiram Rabidas	Do.
158	Gobardhan Bhuia	Do.
159	Suraj Bhar	Do.
160	Dudhnath	Do.
161	Ramdhani Rabidas	1-8-68 to 8-10-68
162	Ch. Chander Gope	5-8-68 to 10-10-68
163	Barbil Gope	5-8-68 to 14-9-68
164	B. Chander Gope	23-8-68 to 11-12-68
165	Khairoo Bhar	1-8-68 to 29-10-68
166	Ramnath Harijan	1-8-68 to 17-8-68
167	Lochan Bhar	6-8-68 to 28-10-68
168	Rambriksh Bhar	1-8-68 to 11-10-68
169	Budhoo Chamar	1-8-68 to 28-10-68
170	Bandhoo Bhuia	1-8-68 to 11-10-68
171	Bandhan Bhuia	1-8-68 to 25-10-68
172	Ch. Kesho Bhuia	Do.
173	Dasrath Bhuia	1-8-68 to 9-10-68
174	Harkhan Bhuia	1-8-68 to 22-10-68
175	Sanichar Bhuia	1-8-68 to 3-9-68
176	Tilak Gope	1-8-68 to 10-12-68
177	Sheo Balak Pashi	1-8-68 to 31-8-68
178	Mohiuddin Mian	1-8-68 to 22-10-68
179	Etwari Bhuia	1-8-68 to 31-10-68
180	Bishun Bhuia	1-8-68 to 21-10-68
181	Jamir Mian	1-8-68 to 18-11-68
182	Sanjoo Bhuia	1-8-68 to 14-9-68
183	Sahdeo Gope	1-8-68 to 28-10-68
184	Badan Gope	1-8-68 to 12-11-68
185	Jakhan Rabidas	1-8-68 to 5-10-68
186	Dayal Turi	1-8-68 to 11-10-68
187	Barum Rabidas	1-8-68 to 18-10-68
188	Sheonath Harijan	1-8-68 to 18-10-68
189	B. Baijnath Rabidas	1-8-68 to 10-9-68
190	Pujan Rabidas	1-8-68 to 31-10-68
191	Deonandan Gope	3-8-68 to 20-9-68

192	Shri	Pardesh Rabidas				1-8-68 to 11-11-68
193	"	Lerya Chamar				3-8-68 to 11-11-68
194	"	Udaynarain Pandey				1-8-68 to 15-8-68
195	"	Jita Bhar				3-8-68 to 12-12-68
196	"	Muni Bhar				1-8-68 to 12-11-68
197	"	Nandlal Mishra				3-8-68 to 12-11-68
198	"	Santa Gope				3-8-68 to 12-11-68
199	"	Hoobraj Jaiswara				3-8-68 to 10-10-68
200	"	Kesho Bhuia				3-8-68 to 15-10-68
201	"	Nakhero Rabidas				3-8-68 to 11-10-68
202	"	Peko Bhar				1-8-68 to 11-10-68
203	"	Balram Mahato				1-8-68 to 20-11-68
204	"	Dhukoo Bhar				1-8-68 to 20-11-68
205	"	Sahati Bhar				1-8-68 to 12-12-68
206	"	Ramprit Gope				1-8-68 to 9-11-68
207	"	Noonoo Sao				1-8-68 to 9-11-68
208	"	Ruplal Barhi				1-8-68 to 5-10-68
209	"	Janoo Sao				1-8-68 to 5-10-68
210	"	Moti Lal Sao				1-8-68 to 5-8-68
211	"	Budhoo Singh				1-8-68 to 2-8-68
212	"	Manoo Mahato				1-8-68 to 2-8-68 and 17-8-68 to 7-9-68
213	"	Kushar Bin				17-8-68 to 2-8-68
214	"	Bhikhari Bhar				17-8-68 to 16-9-68
215	"	Jhilo Bhar				17-8-68 to 18-10-68
216	"	Sadhu B. P.				17-8-68 to 11-12-68
217	"	Sukhoo Bhar				17-8-68 to 10-10-68
218	"	Banwari Harijan				17-8-68 to 20-11-68
219	"	Surresh Harijan				17-8-68 to 20-11-68
220	"	Narayan Jaiswara				17-8-68 to 2-8-68
221	"	Lochan Gope				17-8-68 to 2-8-68
222	"	Ramraj Bhar				17-8-68 to 26-12-68
223	"	Pawaru Harijan				17-8-68 to 2-8-68
224	"	Kishun Sao				17-8-68 to 20-11-68
225	"	Daso Bhar				1-8-68 to 20-11-68
226	"	Hela Telinija				1-8-68 to 2-8-68
227	"	Tulsi Jaiswara				1-8-68 to 5-10-68
228	"	Tori Hazam				1-8-68 to 11-11-68
229	"	Raja Ram Jaiswara				1-8-68 to 12-10-68
230	"	Sitaram Jaiswara				1-8-68 to 12-11-68
231	"	Ram Narain Pasi				1-8-68 to 12-11-68
232	"	Chumari Gope				3-8-68 to 12-1-68
233	"	Karoo Gope				3-8-68 to 12-11-68
234	"	Hari Sao				3-8-68 to 10-10-68
235	"	Kesho Bhuia				3-8-68 to 15-12-68
236	"	Ramu Majhi				5-8-68 to 7-9-68
237	"	Budhu Majhi				23-8-68 to 7-9-68
238	"	Birshi Majhi				1-8-68 to 11-11-68

SCHEDULE II

List of miners who have been stopped without any notice with effect from 1-8-1968

Serial No.	Name	Designation
1	Shri Ramdhani Sao	Miner
2	" Baijnath Kurmi	Do.
3	" Lakh Rabidas	Do.
4	" Babynandan Bhar	Do.

Sl. No.	Name	Designation
5	Shri Tirsha Bhar	Miner
6	„ Saruo Bhar	Do.
7	„ Agnu Gope	Do.
8	„ Khurmuli Harijan	Do.
9	„ Bulak Sao	Do.
10	„ Bukharam Bhar	Do.
11	„ Niroo Bhuia	Do.

SCHEDULE III

List of trammers who have been stopped without any notice w.o.f. 1-8-68

Serial No.	Name	Designation
1	Shri Chauthi Bhuia	Trammer
2	„ Ramsaran Singh	Do.
3	„ Naresh Singh	Do.
4	„ Parsadi Bhuia	Do.
5	„ Boleswar Bhuia	Do.
6	„ Ism le Man	Do.
7	„ Budhan Bhuia	Do.
8	„ Lotan Bhuia	Do.
9	„ Doman Mullah	Do.
10	„ Sanyaram Bouri	Do.
11	„ Biroo Ram	Do.
12	„ Gomti Prasad	Do.

SCHEDULE IV

List of trammers who were rendered idle without any notice for the period shown against them.

Serial No.	Name	Period of idleness
1	Shri Jethan Bhuia	2-8-68 to 24-10-68
2	„ Madan Bhuia	1-8-68 to 2-8-68
3	„ Huro Bhuia	1-8-68 to 8-9-68
4	„ Rameshwar Bhuia	3-8-68 to 31-8-68
5	„ Harekrishna Jha	1-8-68 to 19-10-68
6	„ Moji Bhuia	2-8-68 to 28-9-68
7	„ Jamuna Dusadh	1-8-68 to 22-10-68
8	„ B. Mangal Bhuia	1-8-68 to 5-10-68
9	„ Maha Bhuia	1-8-68 to 24-10-68
10	„ Jhari Bhuia	1-8-68 to 4-9-68
11	„ Mihasi Mahato	1-8-68 to 24-10-68
12	„ Asira Bhuia	1-8-68 to 16-11-68
13	„ Baldeo Bhuia	1-8-68 to 5-9-68
14	„ Saitur Bhuia	1-8-68 to 19-10-68
15	„ Birjoo Dusadh	1-8-68 to 5-9-68
16	„ Kanka Bhuia	1-8-68 to 5-9-68
17	„ Moji Bhuia	1-8-68 to 2-11-68
18	„ Jethu Bhuia	1-8-68 to 2-9-68
19	„ Mthoo Rabidas	1-8-68 to 20-10-68
20	„ Chinoo Bhuia	2-8-68 to 28-9-68
21	„ Danoo Rabidas	1-8-68 to 7-9-68

New Delhi, the 3rd October 1969.

S.O. 4145.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ballarpur Colliery, Post Office Ballarpur, District Chandrapur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal with Shri G. V. Dev, as Presiding Officer with headquarters at Nagpur, and refers the said dispute for adjudication to the said Industrial Tribunal.

"Whether the action of the management of Ballarpur Colliery, Ballarpur of Messrs Ballarpur Collieries Company, Nagpur in closing down the Telugu School which was functioning for the last forty years is justified? If not, to what relief the Telugu speaking workmen of their Colliery are entitled?"

[No. 3/6/69-LRII.]

.....

New Delhi, the 3rd September 1969

S.O. 4146.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Simlabahal Colliery, Post Office Jharia, Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Simlabahal Colliery, Post Office Jharia (Dhanbad), in terminating the services of the following workmen with effect from the dates shown against each and putting them in Badli List is justified?"

S. No.	Name	Designation	Date of stoppage
1.	Latif Mia	Pump Mistry	22.5.68.
2.	Rahaman Mia	Prop Mazdoor	22.5.68.
3.	Khiroo Gope	Prop Mazdoor	23.5.68.
4.	Madan Chamar	Pump Khalasi	23.5.68.
5.	Amar Singh	Miner	22.5.68.
6.	Bashir Mian	Prop Mazdoor	23.5.68.
7.	Bihari Garari	Prop Mazdoor	23.5.68.
8.	Idrish Mian	Pick Miner	23.5.68.
9.	Jogeshwar Bhulan	Fitter Mazdoor	23.5.68.
10.	Lal Muhammad	Prop Mazdoor	22.5.68.
11.	Basdeo Goswami	Pick Miner	22.5.68.
12.	Nunuram Majhi	Pick Miner	22.5.68.
13.	Purna Manjhi	Pick Miner	22.5.68.
14.	Bishram Jaiswara	Pick Miner	22.5.68.
15.	Rohim Mian	Pick Miner	22.5.68.
16.	Muslim Khan	W.E. Khalasi	25.5.68.
17.	Siram Yadav	Pick Miner	15.4.68.
18.	Sekur Mian	Prop Mazdoor	21.5.68.
19.	Bechan Singh	Prop Mazdoor	30.5.68.
20.	Shibalak Thakur	Miner	31.5.68.
21.	Nur Muhammad	Fireman	31.5.68.
22.	Alam Mian	Prop Mistry	30.5.68.
23.	Girija Gope	Prop Mistry	30.5.68.
24.	Rajan Mian	Prop Mazdoor	30.5.68.

S. No.	Name	Designation	Date of stoppage
25.	Ishaque Mia	Prop Mazdoor	30.5.68.
26.	Lakhan Ram	Haulage Khalasi	30.5.68.
27.	Latif Mian No. 2	Pick Miner	30.5.68.
28.	Ali Muhammad	Prop Mistry	30.5.68.

If not, to what relief are they entitled?"

[No. 2/196/68-LRII.]

S.O. 4147.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Rayatwari Colliery, Post Office Chandrapur, District Chandrapur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri G. V. Dev, as Presiding Officer with headquarters at Nagpur and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

1. "Whether the management of Rayatwari Colliery, Post Office Chandrapur, District Chandrapur is justified:

- (i) in not paying the arrears of wages for the period from 15th August, 1967 to 27th January, 1968;
- (ii) in not paying the variable dearness allowance at Rs. 1.11 and Rs. 1.47 per day with effect from the 28th January, 1968 and the 1st April, 1968, respectively; and
- (iii) in not granting graded annual increments from the 15th August, 1968; to the workmen as per recommendations of the Wage Board for Coal Mining Industry?

2. If not—

- (i) what should be the quantum of variable dearness allowance in this Colliery; and
- (ii) to what reliefs, if any, are the workmen entitled?"

[No. 1/63/68-LRII.]

P. C. MISRA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 30th September 1969.

S.O. 4148.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen, which was received by the Central Government on the 23rd September 1969.

**BEFORE SHRI P. P. R. SAWHNY, B. A. (HONS.) CANTAB-BAR-AT-LAW,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PUNJAB, CHANDIGARH.**

REFERENCE No. 1/C OF 1969

BETWEEN

The workmen and the management of The Punjab National Bank Ltd.,
Jullundur.

APPEARANCES:

Shri O. P. Sehgal for the workmen, and Shri Sardari Lal Puri—for the management.

AWARD

An industrial dispute, regarding the matter given below, having arisen between the workmen and the management of The Punjab National Bank Ltd., Jullundur, the Government of India referred the same to this Tribunal for adjudication vide its order No. 23/16/68-LR, III, dated 23rd July 1968:—

Whether the management of the Punjab National Bank Ltd., is justified in denying officiating chances as Special Assistant to Shri Sarbdayal an employee of the Bank at the Hall Bazar Amritsar branch? If not, to what relief is Shri Sarbdayal entitled?

2. After the issues had been framed, the workmen were called upon to produce their evidence but instead of producing evidence, their authorised representative submitted an application Ext. A/1, to the effect that they had settled the dispute forming subject matter of the reference amicably out of Court with the management, and prayed that an award may be given accordingly.

3. Statement of Shri O. P. Sehgal, the authorised representative of the workmen, was recorded and he reiterated what he had stated in the application, Ext. A/1, that the dispute forming subject matter of the reference had been settled out of court with the management, and that an award may be given accordingly.

4. In view of the statement made by Shri O. P. Sehgal, authorised representative of the workmen, a no dispute award is given and this reference is disposed of accordingly.

(Sd.) P. P. R. SAWHNY,
Presiding Officer,
Industrial Tribunal, Punjab,
Chandigarh.

13-5-69.

[No. 23/16/68/LR.III.]

S.O. 4149.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen, which was received by the Central Government on the 23rd September 1969.

**BEFORE SHRI P. P. R. SAWHNY, B.A. (HONS.) CANTAB-BAR-AT-LAW,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PUNJAB, CHANDIGARH.**

REFERENCE No. 2/C OF 1969

BETWEEN

The workmen and the management of The Punjab National Bank Ltd., Jullundur.

APPEARANCES:

Shri O. P. Sehgal—for the workmen, and Shri Sardari Lal Puri—for the Bank.

AWARD

An industrial dispute, having arisen between the workmen and the management of the Punjab National Bank Ltd., Civil Lines, Jullundur, qua the matter appearing below, the Government of India referred the same to this Tribunal for adjudication vide its Labour Department No. 23/17/68-LR.III, dated 5th August 1968:—

Whether the management of the Punjab National Bank Limited was justified in transferring back Shri Tuls Ram Chauhan from the Industrial Area branch to the Chawra Bazar branch of the Bank at Ludhiana in terms of their letter No S/19637, dated the 29th April, 1967? If not, to what relief is he entitled?

2. After the issues had been framed, the case was set for evidence of the workmen but before any evidence could be led their authorised representative submitted an application, Ext. A/1, to the effect that they had settled the dispute, under reference amicably out of court with the management, and prayed that an award may be given accordingly.

3. Statement of Shri O. P. Sehgal, the authorised representative of the workmen, was recorded and he reiterated what he had stated in the application, Ext. A/1, that the dispute forming subject matter of the reference had been settled out of court with the management, and that an award may be given accordingly.

4. In view of the statement made by Shri O. P. Sehgal, the authorised representative of the workmen, a no dispute award is given and this reference is disposed off accordingly.

13-5-69.

(Sd.) P. P. R. SAWHUNJ,
Industrial Tribunal, Punjab.
[No. 23/17/68/LR.III.]

New Delhi, the 6th October 1969

S.O. 4150.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in the Industrial dispute between the employers in relation to the New Bank of India Limited and their workmen, which was received by the Central Government on the 30th September 1969.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.
23rd September, 1969/1st Aswin 1891(S)

CGID No. 10 of 1968

BETWEEN

The employers in relation to the New Bank of India Limited,

AND

Their workmen.

Shri N. C. Sikri—for the Bank Management.

Shri K. D. Bhandari with Shri Madan Lal Madan—concerned workman.

AWARD

The Central Government in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), vide S.O. No. 23/94/68/LR.III, dated 28th November, 1968 referred the following industrial dispute existing between the employers in relation to the New Bank of India Limited and their workman for adjudication to this Tribunal:—

“Whether the termination of the services of Shri Madan Lal Madan, Cashier-Cum-Godown Keeper, Rajinder Nagar branch, New Delhi by the management of the New Bank of India Limited with effect from the 27th July, 1968 was justified? If not, to what relief is he entitled?”

2. When the case came up today for hearing before me, Shri K. D. Bhandari, General Secretary of the Union and Shri Madan Lal Madan, the concerned workman made a statement that they did not want to pursue to the above reference any further, that they withdrew it and that a no dispute award be passed. Shri N. C. Sikri, representative of the Bank stated that in view of the above said unconditional withdrawal of the reference by the union and the concerned workman, Shri Madan Lal Madan, a no dispute award be passed and he did not press for the costs. In view of the above statements of the learned representatives of the parties and the concerned workman, I have no alternative but to pass a no dispute award which is passed accordingly.

(Two pages).

The 23rd September, 1969.

R. K. BAWEJA,
Central Government Industrial Tribunal, Delhi.
[No. 23/94/68/LR.III.]

S.O. 4151.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Labour Court, Delhi, in the matter of a complaint under Section 33A of the said Act from Shri Pratap Rai which was received by the Central Government on the 30th September, 1969.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT LABOUR COURT, DELHI

PRESENT:

Shri R. K. Baweja, Central Government Labour Court, Delhi.
23rd September, 1969/1st Aswin, 1891 (S)

Complaint U/S 33A of The Industrial Disputes Act, 1947
Compt. I.D. No. 1 of 1969

Shri Pratap Rai, Qr. No. T/79-C, M.G. Loco Kishan Ganj, Delhi-6—
Complainant

Versus

1. The General Manager, Northern Railway, New Delhi,
2. The Divisional Superintendent, Northern Railway, Bikaner—Respondents.

Shri Pratap Rai—complainant in person.

Shri M. Wadhwani—for the respondents.

IN THE MATTER OF L.A.C. No. 49 OF 1969

AWARD

One, Shri Pratap Rai has filed this complaint under section 33A of the Industrial Disputes Act, 1947 (hereinafter to be referred as the Act), against the General Manager, Northern Railway, Baroda House, New Delhi and the Divisional Superintendent Northern Railway, Bikaner. It is alleged in the complaint that the respondents have been guilty of contravention of the provisions of section 33 of the Act inasmuch as they have altered, to the prejudice of the complainant, during the pendency of application No. 49 of 1969 under section 33C(2) of the Act, his service conditions, by ordering his transfer from Delhi Cantt. to Raisingh Nagar in Rajasthan. It was, therefore, prayed that this Court may proceed to decide the complaint set out above and pass such orders as it may deem fit and proper.

2. In the written reply filed by the respondents, it was pleaded, *inter alia*, that the complainant had not been transferred during the pendency of his application No. 49 of 1969 filed under section 33C(2) of the Act, but had been transferred prior to the filing of that application. On this preliminary point, I have heard the arguments today.

3. LCA No. 49 of 1969 was filed by the complainant in this Court on the 16th of June, 1969 whereas his transfer order was passed by the Divisional Personnel Officer, Northern Railway, Bikaner on the 11th of June, 1969. A true copy of that order showing the transfer of the complainant and other employees under the respondents, has been placed on the record and today before me, it was admitted by the complainant that this order was issued on the 11th of June, 1969. It was also admitted by the complainant that the Divisional Personnel Officer, Northern Railway, Bikaner is his employer and is competent to issue the transfer orders. This being so, obviously the transfer order, even if it amounts to alteration of the terms and conditions of his service to his prejudice, was not issued during the pendency of his application No. 49 of 1969 and filed by him under section 33C(2) of the Act but before that. So, there was no contravention of the provisions of section 33 of the Act as it cannot be said that any proceedings were pending before this Court when the order of his transfer was passed by the Divisional Personnel Officer, Northern Railway, Bikaner on the 11th of June, 1969. It is also doubtful, if the provision of section 33 of the Act will apply to the present pendency of LCA No. 49 of 1969, but even assuming that it does, still as at the time of the alleged alteration in the terms and condition of his service, there was no pendency of any proceedings, the provisions of section 33A of the Act are not attracted. The complaint is, therefore, misconceived and is dismissed. The award is passed accordingly.

(Three pages).

The 23rd September, 1969.

R. K. BAWEJA,
Central Government Labour Court, Delhi
[No. 2/20/69/LRIII.]

ORDERS

New Delhi, the 27th September 1969

S.O. 4152.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of Behar Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 3) Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the management of the Bank of Behar Limited, Patna, was justified in superceding Shri B. K. Bartiar, Clerk, for promotion to the cadre of Officers? If not, to what relief is he entitled?"

[No. 23/93/69/LR.III.]

S.O. 4153.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Vijaya Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. M. Jayamahadeva Prasad shall be the Presiding Officer, with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the management of the Vijaya Bank Limited, Mangalore-3 was justified in transferring Shri C. Gopinathan Nair, President of the Vijaya Bank Employees' Association, Coondapoor from their Kalpetta Branch (Kerala State) to Aldur Branch (Mysore State)? If not, to what relief is he entitled?

[No. 23/98/69/LR.III.]

S. S. SAHASRANAMAN, Under Secy.

(Department of Labour and Employment)

[Office of the Chief Labour Commissioner (Central)]

ORDERS

New Delh., the 3rd October 1969

S.O. 4154.—Whereas an application has been made under section 19(b) of the Payment of Bonus Act, 1965 by Messrs Travancore Titanium Products Ltd., (employer) in relation to their establishments mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 31st December 1968.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour & Employment No. WB-20(42)/65 dated the 28th August, 1965, passed orders on 1st October 1969 extending the period for payment of the said bonus by the said employer by 2 (Two) months from the last date for payment of bonus under clause (b) of Section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

THE SCHEDULE

Name and address of the employer(s)	Establishment(s)
The Personal Manager, Travancore Titanium Products Ltd., P.B. No. 1, Trivandrum-7.	Travancore Titanium Products Ltd.,

[No. BA.6(18)/69-LSI.]

S.O. 4155.—Whereas an application has been made under section 19(b) of the Payment of Bonus Act, 1965 by Messrs Equitable Coal Co., Ltd. (employer) in relation to their establishments mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 31st December 1968.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour & Employment No. WB-20(42)/65 dated the 28th August 1965, passed orders on 30th September 1969 extending the period for payment of the said bonus by the said employer by 4 (Four) months from the last date for payment of bonus under clause (b) of Section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

THE SCHEDULE

Name and address of the employer(s)	Establishment(s)
The Managing Agents, Macneill and Barry Ltd., Equitable Coal Co. Ltd., 2, Fairlie Place, Calcutta.	As per list attached.

Names and Addresses of Collieries

Name	Address
1. Bejdih Colliery	Sundarchak, Burdwan District.
2. Methani Colliery	Sitarampur, Burdwan District.
3. Ranipur Colliery	Dishergarh, Purulia District.
4. Jamuria 7/8 Pits Colliery	Charanpur, Burdwan District.
5. Jamuria A/B Pits Colliery	Charanpur, Burdwan District.
6. Bhanora Colliery	Charanpur, Burdwan District.
7. Bhanora South Colliery	Charanpur, Burdwan District.
8. Kottadih Colliery	Pandaveswar, Burdwan District.

[No. BA.5(9)/69-LSI.]

O. VENKATACHALAM.

Chief Labour Commissioner (Central).

